



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

खण्ड : 43

शिमला, शनिवार, 24 जून, 1995/3 आषाढ़, 1917

संख्या : 25

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24 जून, 1995/3 आषाढ़, 1917 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञापित 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:—

विज्ञापित की संख्या	विभाग का नाम	विषय
No. Agr. A 3 (4)-2/93, dated. 3rd June, 1995.	Agriculture Department	The Himachal Pradesh Agricultural Services Ministerial Recruitment and Promotion Rules, 1995.
संख्या 3-2/95-ई० एल० एन०, दिनांक 20 जून, 1995.	निर्वाचन विभाग	भारत निर्वाचन आयोग की अधिसूचना संख्या 56/95 (9); दिनांक 19 जून, 1995 का प्रकाशन (इसके अंग्रेजी रूपान्तर सहित) ।

भाग-1—वैधानिक नियमों को छोड़कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश हाई कोर्ट

Shimla-1, the 24/30th May, 1995

No. HHC/Rules-22 (28)/84-9437.—In continuation of this Registry notification No. HHC/Rules-22(28)/84-6439-46, dated 2-6-1984, Hon'ble the Chief Justice of the High Court of Himachal Pradesh is pleased to make the following amendment substituting Rule 8 of the High Court of Himachal Pradesh (Regulation and Maintenance of Canteen) Rules 1984, in the following manner :—

"Security 8.—The licensee shall be required to deposit a security in the sum of Rs 10,000/- by way of FDR in the name of the Registrar of this High Court before occupying the canteen premises pursuant to the grant of licence. The amount of such security shall be refundable to the licensee after adjustment of dues towards licence fee, electricity and water charges, if any and subject to the provisions contained in rule 22."

2. This amendment shall be called the "High Court of Himachal Pradesh (Regulation and Maintenance of Canteen (2nd Amendment) Rules, 1995."

3. This amendment shall come into force with immediate effect.

By order of the Hon'ble Chief Justice.

R. K. MAHAJAN,
Registrar.

Shimla-1, the 1st June, 1995

No. HHC/GAZ/14-46/-74-I-9198.—Hon'ble the Chief Justice and Judges are pleased to grant *ex-post-facto* sanction of 26 days earned leave with effect from 24-4-1995 to 19-5-1995 with permission to prefix Sunday falling on 23-4-1995 in favour of Shri P. D. Goyal, Additional District and Session Judge (I) Kangra, at Dharamshala.

Certified that Shri Goyal has joined the same post and at the same station from where he proceeded on leave after expiry of the above period of leave.

Also certified that Shri Goyal would have continued to hold the post of Additional District and Sessions Judge (I), Kangra at Dharamshala, but for his proceeding on leave for the above period.

Shimla-1, the 1st June, 1995

No. HHC/Admn. 6 (23)/74-IX-9228.—Hon'ble the Chief Justice in exercise of the powers vested in him under rule 1.26 of Himachal Pradesh Financial Rules, 1971, Volum-I is pleased to declare the Sub-Judge-cum-Additional CJM, Hamirpur as Drawing and Disbursing Officer in respect of the Court of Sub Judge-cum-Judicial Magistrate(II), Hamirpur and also the Controlling Officer for the purpose of T. A. etc. in respect of Class-III and IV establishment attached to the aforesaid Court under head "2014—Administration of Justice" with immediate effect till a regular Presiding Officer takes over as Sub-Judge-cum-JMIC (II), Hamirpur.

Shimla-1, the 1st June, 1995

No. HHC/GAZ/14-203/90-9245.—Hon'ble the Chief Justice and Judges are pleased to grant *ex-post-facto* extension of 13 days earned leave with effect from 30-4-1995 to 12-5-1995 with permission to suffix Second Saturday and Sunday falling on 13th and 14th May, 1995 in favour of Shri Virender Sharma, Sub Judge-cum-Judicial Magistrate(II), Palampur.

Certified that Shri Sharma is likely to join the same post and at the same station from where he proceeds on leave after expiry of the above period of leave.

Also certified that Shri Sharma would have continued to hold the post of Sub-Judge-cum-Judicial Magistrate(II), Palampur, but for his proceeding on leave for the above period.

Shimla-1, the 2nd June, 1995

No. HHC/GAZ/14-191/88-9393.—Hon'ble the Chief Justice and Judges are pleased to grant 19 days earned leave with effect from 12-6-1995 to 30-6-1995 with permission to prefix holidays falling on 9th, 10th and 11th June, 1995 in favour of Shri Rajeev Bhardwaj, Sub Judge-cum-Chief Judicial Magistrate, Nalagarh.

Certified that Shri Bhardwaj is likely to join the same post and at the same station from where he proceeds on leave, after expiry of the above period of leave.

Also certified that Shri Bhardwaj would have continued to hold the post of Senior Sub Judge-cum-Chief Judicial Magistrate, Nalagarh, but for his proceeding on leave for the above period.

Shimla-1, the 2nd/3rd June, 1995

No. HHC/Admn. 6 (23)/74-IX-9405.—Hon'ble the Chief Justice and Judges in exercise of the powers vested in him under rule 1.26 of Himachal Pradesh Financial Rules, 1971, Volume-I is pleased to declare the Sub-Judge-cum-Additional Chief Judicial Magistrate, Kandaghat as Drawing and Disbursing Officer in respect of the Court of Sub-Judge-cum-SDJM, Nalagarh and also the Controlling Officer for the purpose of T. A. etc. in respect of the Class III and IV establishment attached to the aforesaid Court under head "2014—Administration of Justice" during the leave period of Shri Rajeev Bhardwaj, Sub-Judge-cum-SDJM, Nalagarh with effect from 12-6-1995 to 30-6-1995 with permission to prefix holidays falling on 9th, 10th and 11th June, 1995, or until he returns from leave.

By order,

Sd/-
Additional Registrar (Admn).

हिमाचल प्रदेश सरकार

PERSONNEL (A-I) DEPARTMENT

NOTIFICATIONS

Shimla-2, the 30th May, 1995

No. PER(AP)A-B(6)1/95.—The Governor, Himachal Pradesh is pleased to order that the Sub-Divisional Officer (Civil), Nurpur, District Kangra, Himachal Pradesh shall hold the charge of the post of Land Acquisition Officer, Beas Project, Talwara in addition to his own duties with immediate effect till further orders in public interest.

Shimla-2, the 31st May, 1995

No. Per.(Ap-II) B (4)-1/92.—The Governor, Himachal Pradesh is pleased to accord *ex-post-facto* sanction of 8 days earned leave w.e.f. 5-5-1995 to 12-5-1995 (with permission to suffix holidays falling on 13th and 14th May, 1995) in favour of Dr. Rameshwar Lal Sharma Members Himachal Pradesh Public Service Commission subject to verification of title of leave.

Certified that Dr. Rameshwar Lal Sharma, Member, H.P. Public Service Commission has joined his duty

to the station from where he proceeded on leave.

By order,

R. K. ANAND,
Chief Secretary.

शिमला-2, 1 जून, 1995

संख्या कार्मिक (सचि० प्रशा०-1) वी०(2)-2/92.—विभागीय पदोन्नति समिति की सिफारिशों पर राज्यपाल, हिमाचल प्रदेश सचिवालय के श्री हेतु राम शर्मा, अस्थाई आधार पर पदोन्नत अनुभाग अधिकारी को अनुभाग अधिकारी (द्वितीय श्रेणी) वेतनमान रुपये 2200-70-2550-75-3000-100-4000 जमा रुपये 200/- विशेष वेतन के पद पर तत्काल से नियमित आधार पर पदोन्नत करने के सहर्ष आदेश करते हैं।

2. उपरोक्त अधिकारी को दो वर्ष के लिए उक्त पद पर परीक्षा पर रखा जाएगा।

3. उपरोक्त अधिकारी की पदोन्नति के फलस्वरूप वेतन नियतन करवाने हेतु एफ०आर० (22)(1)(क) एवं उसके परन्तुक के अनुसार एक मास के भीतर विकल्प देना होगा।

4. उपरोक्त अधिकारी की पदोन्नति माननीय सर्वोच्च न्यायालय में दायर अपील संख्या 2615/87 (श्री गुरु लाल नेगी और अन्य बनाम भगत राम कपरेट और अन्य) और माननीय प्रशासनिक प्राधिकरण हिमाचल प्रदेश में दायर अपील संख्या-4/1988 (श्री बोंदराज और अन्य बनाम हिमाचल प्रदेश राज्य और अन्य) और अपील नं० 161/1988 श्री ज्योति स्वरूप और अन्य बनाम हिमाचल प्रदेश राज्य और अन्य के अन्तिम निर्णय पर आधारित होगी।

के आदेश से,
हस्ताक्षरित/-
आयुक्त एवं सचिव।

Shimla-2, the 1st June, 1995

No. PER(A-I)B(2)-3/87.—The Governor, Himachal Pradesh, on the recommendations of Departmental Promotion Committee, is pleased to order the promotion of Sh. Sukh Dev Singh Jamwal, Senior Private Secretary as Special Private Secretary in the pay scale of Rs.3700—5000 plus Rs. 500/- special pay with immediate effect.

2. Sh. Sukh Dev Singh Jamwal shall remain on probation for a period of two years.

3. The Governor, Himachal Pradesh is further pleased to order that consequent upon his promotion as Special Private Secretary, Sh. Sukh Dev Singh Jamwal shall continue to work in the office of Revenue Minister, Himachal Pradesh.

Shimla-2, the 1st June, 1995

No. PER(A-I)B(2)-4/92.—The Governor, Himachal Pradesh on the recommendations of Departmental Promotion Committee, is pleased to order promotion of Sh. G. S. Puniah, Special Private Secretary as Senior Special Private Secretary in the pay scale of Rs. 4125—5600 plus Rs. 500/- special pay with immediate effect.

2. Sh. G. S. Puniah shall remain on probation for a period of two years.

3. The Governor, Himachal Pradesh is further pleased to order that consequent upon his promotion as Senior Special Private Secretary, Sh. G. S. Puniah shall continue to work as Officer on Special Duty in the Education Department.

By order,
Sd/-
Chief Secretary.

शिमला-2, 2 जून, 1995

संख्या कार्मिक (स०प्र०-1) वी०(2)-4/85.—राज्यपाल, हिमाचल प्रदेश श्री निक्का राम भारद्वाज, निजि सहायक को निजि सचिव (द्वितीय

श्रेणी) राजपत्रित के पद पर वेतनमान रुपये 2200-70-2550-75-3000-100-4000 जमा 300/- रुपये विशेष वेतन में अस्थाई रूप में रिक्त हुए पद के विरुद्ध तदर्थ आधार पर तत्काल से पदोन्नत करने के सहर्ष आदेश करते हैं।

2. यह पूर्णतया अस्थाई पदोन्नति श्री निक्का राम भारद्वाज को निजि सचिव के पद पर निरन्तरीकरण/विरिष्ठता के मामले में कोई हक प्रदान नहीं करेगी।

3. पदोन्नति पर श्री भारद्वाज उसी कार्यालय में कार्य करते रहेंगे जहाँ पर वह इस समय कार्यरत हैं।

के आदेश से,
हस्ताक्षरित/-
आयुक्त एवं सचिव।

Shimla-2, the 2nd June, 1995

No. PER(A-I)B(15)-5/86.—The Governor, Himachal Pradesh is pleased to order promotion of Sh. N. D. Puri, Private Secretary, Himachal Pradesh Secretariat against the post of Senior Private Secretary in the pay scale of Rs. 3000—4500 plus Rs. 500/- special pay on purely temporary basis for a period of six months or till such time regular promotions are made, whichever is less.

This promotion on purely temporary basis shall not confer any right upon this officer for regular promotion, continuation/seniority etc. against the post of Senior Private Secretary.

The Governor, Himachal Pradesh is further pleased to order that consequent upon his promotion, Sh. N. D. Puri, Senior Private Secretary shall continue to work in the office of the Commissioner-cum-Secretary (Tourism) to the Government of Himachal Pradesh.

Shimla-2, the 2nd June, 1995

No. PER(AP)A-B(6)-1,95.—The Governor, Himachal Pradesh is pleased to order transfers and postings of the following Himachal Pradesh Administrative Service Officers with immediate effect in public interest :—

1. Sh. Shekhar Gupta, General Manager, HPMC is transferred and posted as Sub Divisional Officer (Civil), Rampur.
2. Sh. Kamal Sharma, Sub Divisional Officer (Civil) Rampur is transferred and posted as Assistant Commissioner Municipal Corporation, Shimla on deputation basis.
3. Sh. Ashok Sharma, Assistant Commissioner Municipal Corporation, Shimla is transferred and posted as General Manager, HPMC on deputation basis.
4. Sh. Hukam Singh Thakur, Sub Divisional Officer (Civil), Chamba is transferred and posted as Sub Divisional Officer (Civil), Rural, Shimla vice Sh. Prem Swarup Bhardwaj.
5. Sh. Prem Swarup Bhardwaj, Sub Divisional Officer (Civil) Rural Shimla who is also holding additional charge of Assistant Commissioner to Deputy Commissioner, Shimla will now be posted as Assistant Commissioner to Deputy Commissioner, Shimla.
6. Sh. S. P. Rolta, Divisional Tourism Development Officer, Mandi is transferred and posted as Sub Divisional Officer (Civil), Baijnath.
7. Sh. M. P. Sood, Assistant Commissioner to Divisional Commissioner, Kangra is transferred and posted as Sub Divisional Officer (Civil), Jogindernagar relieving the Divisional Tourism

Development Officer, Mandi of the additional charge of this post.

8. Sh. Baldev Singh Attri, Assistant Commissioner to Deputy Commissioner, Kangra is transferred and posted as Sub Divisional Officer (Civil), Jawali.

The Governor, Himachal Pradesh is further pleased to order that the following officers shall also hold the additional charge of the posts mentioned against each:—

1. Sh. Jagdish Chander, I.A.S. Sub Divisional Officer (Civil), Dharamshala shall also look after the work of Assistant Commissioner to the Deputy Commissioner, Kangra in addition to his own duties, till further orders.
2. Sh. K. D. Sharma. Regional Transport Officer, Dharamshala shall also hold the charge of the post of Assistant Commissioner to the Divisional Commissioner, Kangra in addition to his own duties.
3. Shri M. C. Rana, Additional District Magistrate, Mandi shall also hold the charge of the post of Divisional Tourism Development Officer, Mandi in addition to his own duties.

Shimla-171002, the 2nd June, 1995

No. 1-15/73-Dp-Appntt. (95).—The Governor, Himachal Pradesh is pleased to order the following transfers and postings of Indian Administrative Service Officers with immediate effect in public interest:—

1. Dr. P. K. Monga, I.A.S. (HP:80) Special Secretary (Science and Technology) to the Government of Himachal Pradesh and *Ex-Officio* Member-Secretary (Science & Technology and Environment Council), Himachal Pradesh is transferred and posted as Commissioner, Municipal Corporation, Shimla *vice* Sh. K. C. Verma, I.A.S.
2. Dr. Desh Deepak, I.A.S. (HP:83) Deputy Commissioner, Kinnaur, Himachal Pradesh is transferred and posted as Editor in Chief, District Gazetteers, Himachal Pradesh relieving Sh. S. M. Katwal, I.A.S. Commissioner, Departmental Enquiries, Himachal Pradesh of the additional charge.
3. Smt. Bharti S. Sihag, I.A.S. (HP:83) Director of Vigilance and Additional Secretary (Home and Vigilance) to the Government of Himachal Pradesh who is also holding the additional charge of Chief Executive Officer, HIMURJA shall also hold the additional charge of Additional Secretary (Science & Technology) to the Government of Himachal Pradesh and *Ex-Officio* Member-Secretary, Science and Technology and Environment Council, Himachal Pradesh.
4. Sh. K. C. Verma, I.A.S. (HP:83) Commissioner, Municipal Corporation, Shimla is transferred & posted as Settlement Officer, Shimla & Kinnaur at Shimla *vice* Sh. I. S. Chandel, I.A.S.
5. Dr. Rattan Lal Bisotra, I.A.S. (HP:85) on return from foreign training is posted as Additional Secretary (PWD & Housing) to the Government of Himachal Pradesh.
6. Sh. Manoj Kumar, I.A.S. (HP:88) Joint Secretary (GAD) to the Government of Himachal Pradesh shall also hold the additional charge of the post of Joint Secretary (Home & Vigilance) to the

Government of Himachal Pradesh, Shimla till further orders relieving Smt. Bharti S. Sihag, I.A.S. of the post of Additional Secretary (Home and Vigilance).

7. Sh. Ram Dass Dhiman, I.A.S. (HP:88) Resident Commissioner, Pangi, District Chamba, Himachal Pradesh who is under order of posting as Joint Secretary (PW & Housing) to the Government of Himachal Pradesh is now posted as Additional Director of Industries, Shimla, Himachal Pradesh.
8. Sh. I. S. Chandel, I.A.S. Settlement Officer, Shimla & Kinnaur at Shimla is transferred and posted as Deputy Commissioner, Kinnaur, Himachal Pradesh *vice* Dr. Desh Deepak, I.A.S.

Shimla-2, the 3rd June, 1995

No. Per (A)B(3)12/90.—Consequent upon repatriation of Col. H. S. Chauhan, Director, Mountaineering and Allied Sports, Manali, District Kullu, Himachal Pradesh *w.e.f.* 4-6-95 A.N. to his parent department, the Governor, Himachal Pradesh is pleased to order that Sh. Anil Khachi, I.A.S. Deputy Commissioner, Kullu shall also hold additional charge of the post of Director, Mountaineering and Allied Sports, Manali, Himachal Pradesh till further orders.

By order,

R. K. ANAND,
Chief Secretary.

निर्वाचन विभाग

कार्यालय आदेश

शिमला-171002, 5 जून, 1995

संख्या 5-16/80-ई0 एल0एन0.—राज्यपाल महोदय, हिमाचल प्रदेश श्री चेत राम ठाकुर, निर्वाचन अधिकारी को सहायक मुख्य निर्वाचन अधिकारी (श्रेणी-1 राजपत्रित) के पद पर रुपये 3000-100-4000-125-4500 जमा 400/- रुपये विशेष वेतन में कार्यभार ग्रहण करने की तिथि से छः मास या जब तक इस पद को नियमित रूप से नहीं भरा जाता, जो भी पहले हो में तत्काल से पूर्णतया अस्थायी तौर पर पदोन्नत करने के सहर्ष आदेश करते हैं।

उपरोक्त तदर्थ नियुक्ति श्री चेत राम ठाकुर को निरन्तरीकरण/वक्तव्य इत्यादि के मामले में कोई हक प्रदान नहीं करेंगी।

आदेश द्वारा,

राजेश्वर भट्टाचार्य,
सचिव।

लोक निर्माण विभाग

शुद्धि पत्र

शिमला-2, 6 जनवरी, 1995

संख्या लो0 नि0(ख)7(1)47/91.—इस विभाग द्वारा जारी समसंख्यक अधिसूचना दिनांक 9-11-94 जोकि जोगिन्दरनगर-सरकाघाट-धुमारवीं सड़क के निर्माण हेतु मुहाल सनैहाड में भू-अर्जन अधिनियम, 1894 की धारा 4 के अन्तर्गत जारी की गई है; में खसरा नं0 1004/1 रकबा 0-02-19 हेक्टेयर जो उक्त अधिसूचना में अंकित नहीं है को शामिल किया जावे और उक्त अधिसूचना में किता 16, रकबा 0-52-83 हेक्टेयर के स्थान पर अब किता 17, रकबा 0-55-02 हेक्टेयर पढ़ा जावे।

आदेश द्वारा,
पी0एस0 राणा,
सचिव।

PUBLIC RELATIONS DEPARTMENT

CORRIGENDUM

Shimla-2, the 27th April, 1995

No. Pub-2(B)3/88.—The following corrections are made in the Recruitment and Promotion Rules for the post of Assistant Editor (Class-II), Gazetted in the Public Relations Department notified vide this Department notification of even number, dated 19-11-1993:—

Col. 11 Note 2 below. Col. 11 is inserted as under:—

“Provisions of Rules 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under rule 2 are increased”.

Col. 12 “The DPC to be presided over by the Chairman, H. P. P. S. C. or a Member thereof to be nominated by him.” is inserted instead of “As may be constituted by the Government from time to time.”

By order,

Sd/-

Commissioner-cum-Secretary.

IRRIGATION AND PUBLIC HEALTH DEPARTMENT

NOTIFICATION

Shimla-2, the 27th April, 1995

No. 1-140/70-PWA-Vol-II.—The Governor, H. P. regrets to announce the death of Shri B. S. Khurana, Executive Engineer, Irrigation and Public Health Department on 7-3-1995.

Sd/-

Financial Commissioner-cum-Secretary.

INDUSTRIES DEPARTMENT

CORRIGENDUM

Shimla-2, the 29th April, 1995

No. Udyog(Kha)9-3/88-Estt.—Please read ‘District Industries Officer’ instead of ‘General Manager, DIC’ in the 5th line of this Department Notification of even number, dated 9-1-1995.

S. S. SIDHU,
F. C.-cum-Secretary.

लोक निर्माण विभाग

शुद्धि पत्र/अनुशेष

शिमला-171002, 19 मई, 1995

संख्या लो0नि0(ख)7(1)58/93.—इस विभाग के समसंख्यक पत्र दिनांक 16-10-94 द्वारा गांव उपमहाल त्यूडो प्रथम, तहसील बजिला ऊना में त्यूडो-बदोली सड़क के निर्माण हेतु जारी की गई अधिसूचना धारा 6 व 7 में गांव बसाल/मुहाल बसाल, उप महाल कस्बा, तहसील व जिला ऊना के निम्न खसरा नम्बर/क्षेत्र छूट गये थे, उन्हें निम्न प्रकार से पढ़ा जाए:—

विवरण

जिला : ऊना

तहसील : ऊना

गांव	खसरा नं०	क्षेत्र	है० आ० सै०
1	2	3	4 5
उप-महाल कस्बा बसाल	629/1	0 00	57
महाल व मौजा बसाल	630	0 02	52.

1	2	3	4	5
665/1 सा.	0 05	71		
666/1 सा.	0 03	51		
666/1	0 00	19		
721/1	0 00	42		
741/1	0 00	06		
742/1	0 00	25		
748/1	0 00	54		
749/1	0 01	00		
750/1	0 00	04		
811/1	0 00	33		
812/1	0 00	17		
814/1	0 00	01		
1308/1	0 00	18		
1398/1	0 00	15		
1399/1	0 00	10		
1400/1	0 01	26		
1401	0 28	39		
1402/1	0 00	44		
1410/1	0 00	12		
1504/1	0 00	39		
1505/1	0 00	87		
1506	0 02	52		
1512	0 00	96		
1513	0 03	62		
1516	0 00	86		
1517/1	0 00	42		
1522/1	0 00	44		
1523/1	0 00	19		
1524/1	0 00	03		

कित्ता .. 31 0 56 26

आदेशानुसार,

पी० एस० राणा,
सचिव ।सामान्य प्रशासन विभाग
(स्व-अनुभाग)

शुद्धि पत्र

शिमला-2, 26 मई, 1995

संख्या जी०ए०बी०-1ए०(4)-1/94, (किन्नौर).—इस विभाग की अधिसूचना संख्या जी०ए०बी०-1ए०(4)-1/94, दिनांक 3-1-1995 के क्रम को जारी रखते हुए क्रम संख्या 9 पर श्री शुभ राम के स्थान पर श्री शोभा राम चौहान तथा जिला किन्नौर के स्थान पर जिला शिमला पढ़ा जाए ।

आदेशानुसार,

हस्ताक्षरित/-
मुख्य सचिव ।

आवास विभाग

शुद्धि पत्र

शिमला-2, 29 मई, 1995

संख्या आवास-6(एफ)6-5/91-II.—इस विभाग की समसंख्यक अधिसूचना दिनांक 27-4-95 के पृष्ठांकन में दर्शाए गए क्रमांक 4 पर “भू-अर्जन समाहर्ता (एस० डी०एम०) नालागढ़, जिला सोलन” के स्थान पर “भू-अर्जन समाहर्ता (एस० डी०एम०) सोलन, जिला”

सौलन' पड़ा जाए।

आदेश द्वारा,

पी०एस० राणा;
आयुक्त एवं सचिव।

उद्योग विभाग

(क-अनुभाग)

शुद्धि पत्र

शिमला-2, 30 मई, 1995

संख्या उद्योग(ख) 9-4/88-ईस्ट.—कृपया इस विभाग की अधिसूचना समसंख्या दिनांक 15-9-93 की लाईन तीन में "उप निदेशक (रेशम)" के स्थान पर "उप निदेशक उद्योग (रेशम)" पढ़ें।

आदेश द्वारा,

एस०एस० सिद्धू;
वित्तियुक्त एवं सचिव।

सामान्य प्रशासन विभाग
(ख-अनुभाग)

अधिसूचना

शिमला-2, 6 जून, 1995

संख्या जी०ए०वी०-1 ए०(4)-1/94(सिरमौर).—इस विभाग की समसंख्या अधिसूचना दिनांक 23 अगस्त, 1994 के क्रम को जारी रखते हुए राज्यपाल, हिमाचल प्रदेश जिला स्तरीय जिला सिरमौर को शिकायत निवारण समिति में निम्नलिखित गैर-सरकारी महिला सदस्यों को इस समिति में मनोनीत करने के सहर्ष आदेश देते हैं :—

1. श्रीमती कुन्जना सिंह, रनजौर पैलेस, नाहन, जिला सिरमौर (हि० प्र०)।
2. श्रीमती मरोजनी देवी, विद्ववा स्व० श्री प्रताप सिंह, भूतपूर्व संसद सदस्य नजदीक जे० वी० टी० स्कूल नाहन, जिला सिरमौर (हि० प्र०)।
3. श्रीमती नृभापिनी ठाकुर, भूतपूर्व प्रधान, नगर निगम, नाहन, गांव राऊड, नाहन, जिला सिरमौर, हिमाचल प्रदेश।

यह आदेश तुरन्त लागू होंगे।

आदेश द्वारा,

आर० के० आनन्द,
मुख्य सचिव।

HOME DEPARTMENT

NOTIFICATION

Shimla-2, the 5th June 1995

No. Home-II (B) 7-2/28-II.—Governor of Himachal Pradesh is pleased to enhance/amend the Duty/Training Allowance in favour of Home Guards volunteers w.e.f. 1-4-1995 in the manner as under:—

Existing Rate Ammended/Enhanced Rate

Duty Allowance Rs. 37.50 per day Rs. 47.50 per day
per Home Guard. per Home Guard.

Existing Rate Ammended/Enhanced Rate

Training Allowance. Rs. 37.50 per day per Home Guard. Rs. 47.50 per day per Home Guard.

However, Home Guards volunteers shall continue to draw Hill Allowance and Washing Allowance @ Rs. 2/- per day and Rs. 0.50/-per day respectively.

This issues with prior concurrence of the Finance Department obtained vide their diary No. 254/Fin-C-B (7)-3/94, dated 16-3-1995.

By order,

S. N. VERMA,
Commissioner-cum-Secretary.

बहुदेशीय परियोजनाएं एवं विद्युत विभाग

शुद्धि-पत्र

शिमला-2, 24 अप्रैल, 1995

संख्या विद्युत-छ(5)-23/93.—इस विभाग द्वारा जारी की गई समसंख्यक अधिसूचना दिनांक 23-2-1995 के पैरा 2 व 3 में अंकित "समाहर्ता, भू-अर्जन, हिमाचल प्रदेश लोक निर्माण विभाग, रिकांग पिओ, जिला किन्नौर" के स्थान पर "समाहर्ता भू-अर्जन (उप मण्डलाधिकारी, नागरिक) रिकांग पिओ, -जिला" किन्नौर पढ़ा जावे।

आदेशानुसार;

ए० के० गोस्वामी;

वित्तियुक्त एवं सचिव।

[Authoritative English text of the Government notification No. Shiksha-II-Chh.(2)207/94, dated 28th December, 1994 as required under clause (3) of Article 348 of the Constitution of India].

EDUCATION DEPARTMENT

NOTIFICATION

Shimla-171 002, the 28th December, 1994

No. Shiksha-II-Chh(2)207/94.—In exercise of the powers vested under rule 11 of the Rules of Business of the Government of Himachal Pradesh, the Governor of Himachal Pradesh is pleased to empower Shri G. S. Puniah, Officer on Special Duty (Education) to sign affidavits/documents to be filed in the Courts, on behalf of Education Department.

Shimla-2, the 30thth December, 1994

No. Shiksha-Ka-Kha(15)-6/94.—On the recommendation of the Departmental Promotion Committee, the Governor of Himachal Pradesh is pleased to promote the following Superintendents Grade-II (Class-III, Non-Gazetted) to the posts of Superintendent Grade-I (Class-II, Gazetted) in the pay scale of Rs. 2200—4000 in the Education Department on regular basis with immediate effect :—

Shri/Smt.

- | | |
|---|---|
| 1. Dhani Ram Garu o/o Directorate of Education. | They are already working as Superintendent Grade-I on ad hoc basis. |
| 2. Duni Chand Verma o/o Directorate of Education. | |
| 3. Lal Singh Singha o/o Directorate of Education (Primary). | |
| 4. Sushila Kapoor o/o Directorate of Education. | |
| 5. Kishan Chand Kondal Government College, Dehri (Kangra). | |
| 6. Mohan Lal Tomar o/o District Education Officer, Nahan. | |
| 7. Dharam Dass o/o Directorate of Education. | |

2. The above Officers shall be on probation for a period of two years.

3. The Governor of Himachal Pradesh is further pleased to order the posting of the above Officers as under :—

Shri/Smt.

1. Dhani Ram Garu In the office of the Director of Education.
2. Duni Chand Verma In the office of the Director of Education.
3. Lal Singh Singha In the office of Director of Primary Education.
4. Sushila Kapoor In the office of Director of Education.
5. Kishan Chand Kondal. In the office of Director of Primary Education.
6. Mohan Lal Tomar In the office of Director of Primary Education.
7. Dharam Dass In the office of Director of Education.

4. All the Officers will move to join immediately on receipt of these orders. They will be entitled for TA/ joining time as admissible under the rules.

Shimla-2, the 29th December, 1994

No. Kha(16)6/93-Shiksha-Ka.—Pursuant to the Hon'ble Supreme Court's Order, dated 29th March, 1993 in Civil Appeal No. 1513/15 of 1993 and on the recommendations of the Departmental Promotion Committee, the Governor, Himachal Pradesh is pleased to promote the following Officers of School and Inspection Cadre as Deputy Directors of Education notionally on regular basis as per R&P Rules, 1976 in the pay scales of Rs. 1200—1850 (revised to Rs. 2850—4375 w.e.f. 1-1-1986) and to post them on the vacant posts shown against their names:—

Sl. No.	Name, Designation and present place of posting	Date of promotion	Place of posting
1	2	3	4
1.	Shri Bhagwan Dass	8-10-1985	Retired
2.	Ms. E. Gopal Dass	1-5-1986	Retired
3.	Shri Amar Singh	1-12-1986	Retired
4.	Shri S. Agnihotri	1-4-1987	Retired
5.	Shri Ram Rattan Sharma	6-5-1987	Retired
6.	Shri Girdhari Lal	1-6-1987	Retired
7.	Ms. Anand Kumari	1-8-1987	Retired
8.	Ms. Durga Bhardwaj	9-8-1987	Retired
9.	Shri Labh Singh	9-8-1987	Retired
10.	Shri Laxmi Kant Dogra	9-8-1987	Retired
11.	Shri Ramji Dass Gupta	1-1-1988	Retired
12.	Shri D. P. Nikashi	1-2-1988	Retired
13.	Ms. Kushla Singh	1-3-1988	Retired
14.	Ms. Damyanti Devi	1-3-1988	Retired
15.	Ms. Krishna Tandon	23-3-1988	Retired
16.	Ms. Kamla Sharma	1-5-1988	Directorate (Secondary).
17.	Shri P. S. Sharma	1-10-1988	Retired
18.	Shri Gulzar Singh	1-11-1988	Directorate (Secondary)
19.	Shri C. L. Bhan	1-3-1989	Retired
20.	Smt. Santosh Abrol	1-4-1989	Retired
21.	Shri Sita Ram	1-4-1990	Retired
22.	Shri S. N. Thukral	1-4-1990	Expired
23.	Shri Sehbeg Singh	1-6-1990	Retired
24.	Shri G. P. Dinkar	1-3-1991	Retired
25.	Shri Sunita Sharma	23-3-1991	Retired
26.	Shri Amar Jit Singh	1-10-1991	Retired
27.	Shri Kuldeep Singh	19-3-1992	Directorate (Primary).

1	2	3	4
28.	Shri Gurbachan Singh	1-4-1992	Directorate (Secondary).
29.	Shri S. N. Shorey	1-6-1992	North Zone Dharamshala.

2. The above promotions are made on notional basis upto the date of issue of these orders and no arrears will be admissible. All previous orders issued after 20-9-1985 promoting the officers of School and Inspection Cadre as Deputy Directors are hereby withdrawn. However, no recoveries will be affected as a result of withdrawal of all earlier orders and the promotion orders as above.

3. The officers at Sl. No. 16, 18, 27, 28 and 29 will handover charge to the next senior officer at the District Headquarter/Principal of the nearest GSSS by 7th January, 1995 and take over charge at their new place of posting under intimation to this Department and Director of Education.

By order,

S. S. PARMAR,
Commissioner-cum-Secretary.

Shimla-171002, the 18th February, 1995

No. Kha.(1)1/89-Shiksha-Ka-II.—The Governor, Himachal Pradesh is pleased to nominate Smt. Asha Kumari, M. L. A. as Member for the State Advisory Council for Higher Education and Culture constituted vide this department's notification of even number, dated 25-11-1994.

S. S. PARMAR,
Commissioner-cum-Secretary.

Shimla-2, the 16th March, 1995

No. Shiksha-II.Chha(2)18/94.—In pursuance of the revised guidelines issued by the Director of Adult Education, Government of India vide DO No. F-16-4/95-DAE (PL&CE), dated 12-1-1995, the Governor, Himachal Pradesh is pleased to constitute a "Material Selection Committee" at the State Level consisting of the following members for developing and producing adequate materials for the use of Neo-literates under the Post Literacy and Continuing Education Programme. The meeting will be convened from time to time as and when it may be convenient to the Chairman. The Member-Secretary will supply a list of material approved by the Material Selection Committee to the Director of Adult Education, Government of India:—

1. Secretary (Education) to the Government of Himachal Pradesh. *Chairman*
2. Director State Resource Centre (In the absence of SRC, RRC, Chandigarh) Director Adult Education, Himachal Pradesh. *Member*
3. An eminent adult educationist or writer (to be nominated by D.G. (NLM)). *Member*
4. Mian Goverdhan Singh (Incharge Children Library) C/o Shri K. L. Sood, Jakhu, Shimla (State Nominee). *Member*
5. One member representing a voluntary organisation/NGO. [to be nominated by DG (NLM)]. *Member*
6. Dr. Kuldeep Tinwar, State Co-ordinator, HGVS, Shimla-6 (State Nominee). *Member*
7. Director of Adult Education, Himachal Pradesh. *Member Secretary.*

2. The expenditure on TA/DA to non-official Members when invited to attend the meeting will be borne by the Director of Adult Education, Himachal Pradesh out of the TLE funds as per norms to be fixed by the Director of Adult Education.

3. Terms and conditions for TA/DA to non-official members will be notified separately.

By order,

S. S. PARMAR,
Commissioner-cum-Secretary.

शिमला-2, 31 मार्च, 1995

संख्या ख (6) 1/82-शिक्षा-क.—राज्यपाल, हिमाचल प्रदेश, विभागीय पदोन्नति समिति की सिफारिश पर श्री डी०एस० कटोच, प्राचार्य (कालेज केडर) को संयुक्त निदेशक, शिक्षा (महाविद्यालय) के पद

पर वेतनमान 3700-5700 में नियमित रूप से पदोन्नत करने के सहर्ष आदेश देते हैं।

आदेश द्वारा,

हस्ताक्षरित/-
आयुक्त एवं सचिव।

Shimla-2, the 5th May, 1995

No. Kha(1)-1/89-Shiksha-II.—The Governor, Himachal Pradesh is pleased to nominate Dr. L. S. Mehra, Joint Secretary, University Grant Commission, New Delhi as a member of the State Advisory Council for Higher Education and Culture constituted vide this department's notification of even number, dated 25-11-1994.

S. S. PARMAR,
Commissioner-cum-Secretary.

LABOUR AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-2, the 1st June, 1995

No. 19-8'90-Shram Vol.-IV Loose.—In exercise of the powers vested in him under section 17(1) of the Industrial Disputes Act, 1947 the Governor, Himachal Pradesh is pleased to order the publication of the awards in the Rajpatra, announced by the Presiding Officer, Labour Court in respect of the following cases:—

S.No.	Case No.	Parties	Section	Remarks
1.	Ref-155/93	Ravinder Kumar & others v/s XEN (Mech.) H.P.P.W.D. & IPH, Nahan Foundry, Nahan.	Sec. 10	For publication
2.	Ref-83/92	Chet Ram v/s General Mangar HRTC, Mandi	-do-	-do-
3.	Ref-60/91	Balbir Singh v/s Administrator, Municipal Committee, Dharamshala.	-do-	-do-
4.	Ref-46/94	IPH Workers Union v/s S.E., O.P.H., Sundernagar, District Mandi.	-do-	-do-
5.	Ref-27/94	Khanna Watches Karamchari Sangh v/s M/s Khanna Watch, Parwanoo.	-do-	-do-
6.	Ref-88/93	Bhag Chand v/s M.D. M/s Tube Expansion Equipment Ltd., Parwanoo.	-do-	-do-
7.	Ref-77/94	Phool Kali v/s M/s R.K. Plastic Films, Parwanoo	-do-	-do-
8.	Ref-80/94	Satish Kumar v/s M/s Forge India, Parwanoo	-do-	-do-
9.	Ref-42/92	Virender Kumar v/s Procurement & Sales Officer, Bilaspur.	-do-	-do-

By order,

S. S. SIDHU,
Financial Commissioner-cum-Secretary.

In the Court of Shri B. S. Chouhan, Presiding Officer,
Industrial Tribunal, Himachal Pradesh, Shimla

Reference No. 155 of 1993

Instituted on : 18-5-1994

Decided on: 22-3-1995

Ravinder Kumar and Others .. Petitioners

Versus

Executive Engineer (Mechanical), H. P. P. W. D.
and IPH Department, State Workshop Nahan Foundry Nahan, District Sirmaur .. Respondents.

Reference under Section 10 of the Industrial Disputes Act, 1947.

For petitioners: Sh. A.K.Gupta, AR.

For respondents: Sh. Shubhash Chander, AR.

AWARD

Through this reference, the State Government has referred the dispute regarding the demand of 25 workers of erstwhile Nahan Foundry, for determination by this Court.

2. The case of these 25 workers, hereinafter referred to as 'petitioners' is that prior to the taking over of Nahan Foundry by the Himachal Pradesh Government, Public Works Department, which was taken over w.e.f. 1-10-1988, they have been working as Fitters, Welders, Mechanics, Turners, Carpenters etc., in the said foundry. After the Nahan Foundry was taken over and the same was placed under the control of Chief Engineer, HPPWD and IPH, hereinafter, referred to as 'respondent', the petitioners were asked to exercise their options in regard to their pay scales. The petitioners had opted for the pay scale of Rs. 810—1440. Subsequently, the petitioners came to know that they had been misled by the respondent while exercising their options in respect of the said scale because this scale was meant for semi-skilled workers, while the petitioners have been working as skilled workers. Thus, the petitioners had raised a demand to the effect that they being skilled workers, they are entitled to skilled workers scale of Rs. 950--1800. However, the respondent had declined to accept the said demand of the petitioners on the ground that petitioners were semi-skilled workers and as such, they were not entitled to the scale of skilled workers. Ultimately, the dispute was referred to this Court for determination.

3. On the other hand, the respondents have contested the claim aforesaid of the petitioners on two grounds. The first is that the petitioners are semi-skilled workers

and as such, they are entitled only to the semi-skilled workers scale of Rs.810—1440. Secondly, it is stated that the petitioners had exercised their options on respect of the scale of Rs.810—1440 and as such, they are now estopped from demanding the scale of Rs.950—1800. It is also stated that the reference is not maintainable and this Court has no jurisdiction to adjudicate the dispute.

4. On the aforesaid pleadings of the parties, following issues were framed:—

1. Whether the demand of the workers; in question, in respect of pay scale of Rs. 950-1800 w.e.f. 1-10-1988 is genuine and justified? If so, to what relief, the workers are entitled to? OPP.
2. Whether this Court has no jurisdiction, as alleged? OPR.
3. Whether the reference is not maintainable, as alleged? OPR.
4. Relief.

5. I have heard the representatives of the parties and have gone through the record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

FINDINGS :

Issue No. 1.	Yes.
Issue No. 2.	No
Issue No; 3.	No
Relief:	Reference answered in favour of the petitioners.

REASONS FOR DECISION :

Issue No: 1.

6. Shri Harish Chand (RW-1) who has appeared as witness of the respondents has admitted that the petitioners are all ITI trained. Not only this, he has also admitted that the counter-parts of the petitioners who have already been working in the Public Works Department prior to the taking over of the Nahan Foundry by the Government and have also been doing the same type of work which the petitioners have been doing, are getting the scale of Rs. 950—1800. However, the respondents have declined to grant the scale of Rs. 950--1800 to the petitioners on the ground that the petitioners are semi-skilled workers while the scale of Rs. 950-1800 can be granted only to the skilled workers. Apart from this, it is also stated that the petitioners had exercised their options in respect of the scale of Rs. 810--1440 and as such, they are not entitled to the scale of Rs. 950—1800. I have considered both these grounds which have been taken up by the respondent for defeating the claim of the petitioners and am of the view that both these grounds do

not hold good. No doubt, at present, there are four categories of workers in the respondent department, out of which the first is that of unskilled workers, while the second is of semi-skilled workers and the third is of skilled workers and the fourth is of highly skilled workers, but it remains a fact that all the petitioners are not only ITI trained, but, they have also served for good number of years in their respective trades. As such, it does not appeal to reason and common sense that the petitioners are still semi-skilled workers. Apparently in ITI, a trainee is imparted a special training in particular trade by virtue of which he acquires a special skill. Thus, it would not be correct and proper to say that an ITI trained worker cannot be termed as a skilled worker. In fact, the very purpose of ITI is to impart special training to the trainees so as to enable them to acquire special skill. Further, it can, of course, be believed that after a number of years an unskilled work may become skilled worker, but, it cannot be believed that an ITI trained worker will only be a semi-skilled worker even after undergoing a specialized training in a particular trade. Therefore, for these reasons it would not be reasonable and proper to hold that the petitioners are semi-skilled workers. In fact, the respondents do not have any criterion, at present, so as to distinguish between semi-skilled, skilled and highly skilled workers. Further, on the principle of 'equal pay for equal work', the petitioners are also entitled to the same wages which their counterparts are getting in the Public Works Department. Thus, I am clearly of the view that an ITI trained worker is as skilled worker and as such, he is entitled to a scale of Rs. 950-1800. As regards the options which the petitioners had exercised, it appears that the petitioners were certainly misled at the time of exercising their options, otherwise, there was no reason for them to act against their interest. Accordingly, I come to the conclusion that the demand of the petitioners is genuine and justified and as such, they are entitled to the pay scale of Rs. 950-1800 w.e.f. 1-10-1988. As such, the petitioners have proved this issue. Therefore, this issue is decided in favour of the petitioners.

Issues 2 & 3:

7. Neither these issues have been pressed during the course of arguments nor there is any material on record to prove these issues. Accordingly, both these issues are decided against the respondents.

RELIEF

8. Keeping my findings on the aforesaid issues in view, I hold, that the petitioners are entitled to the scale of Rs. 950-1800 w.e.f. 1-10-1988. Accordingly, the reference is decided in favour of the petitioners and same stands disposed of. A copy of this award be sent to the Government of Himachal Pradesh, Shimla-2 for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this award be supplied to each of the parties, free of cost, if applied for. This be consigned to the record room after its completion.

Announced in the Open Court today the 22nd March, 1995.

B. S. CHOUHAN,

Seal *Presiding Officer,
Industrial Tribunal, Himachal Pradesh,
Shimla.*

In the Court of Shri B. S. Chouhan, Presiding Officer,
Labour Court, Himachal Pradesh, Shimla.

Reference No. 83 of 1992
Instituted on: 29-8-1992

Decided on : 24-3-1995

Shri Chet Ram and Shri Puran Chand. .. Petitioners.

Versus

Deputy General Manager,
Himachal Road Transport Corporation,
Mandi.

Reference under Section 10 of the Industrial Disputes Act, 1947.

For petitioners: Shri Sundarshan Sharma
AR

For respondent: Shri K. C. Chauhan, AR.

AWARD

Through this reference, the State Government has referred the dispute regarding the demand of S/Shri Chet Ram and Puran Chand, hereinafter referred to as 'petitioner', for determination by this Court.

2. The case of the petitioners is that the HRTC, hereinafter referred to as 'respondent' had employed them as chowkidars on daily wages in the year, 1986 and thereafter, they have been working continuously as chowkidars, in its workshop at Mandi, but, the respondent has not made them regular. It is stated that the petitioners are entitled to regularisation after completion of 240 days. Thus, the petitioners have stated that the respondent management be directed to regularise them and to pay them the same wages and other benefits, which are being paid to regular workers of the respondent corporation.

3. On the other hand, the respondent HRTC has contested the claim aforesaid of the petitioners on the ground that the petitioners are not entitled to regularisation because they are casual labourers.

4. On the aforesaid pleadings of the parties, my learned predecessor had framed the following issues:-

1. Whether the management action in not regularising the services of the petitioner is justified? OPR.
2. Relief.

5. I have heard the representatives of the parties and have gone through the record. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under :-

FINDINGS

Issue No: 1	No
RELIEF:	Reference answered in favour of the petitioners.

REASONS FOR DECISION

Issue No: 1.

6. There is no denying the fact that both the petitioners have been working as Chowkidars on daily wages since 1986. This fact is evident from Ex.P-1 which is a copy of appointment order dated 15-12-1986 issued by the Automobile Engineer, Divisional Workshop, Mandi. However the respondent HRTC has raised the plea that since the petitioners are casual workers, they are not entitled to regularisation. I have considered the said plea and am of the view that for the reasons to be recorded hereinafter, this plea is not tenable. No doubt, an employer is not forbidden to employ a casual worker, but, the moment a casual worker completes 240 days of his working in a calendar year, he loses the character of casual worker and acquires the status of regular daily rated worker and becomes entitled to the protection of Industrial Disputes Act, 1947 as is provided for in Section 25-B of the Industrial Disputes Act, 1947. In the case in hand, there is no denying the fact that both the petitioners were appointed as daily wages chowkidars in December, 1986 and thereafter, they had been working continuously till today and have by now

completed more than 8 years continuous service. Thus, even, if the plea of the respondent-HRTC to the effect that the petitioners were appointed as casual workers is accepted, even then, after these petitioners had completed 240 days of their working in 1987 of there-after, they had ceased to be the casual workers and had become entitled to regularisation as daily rated workers i.e. daily paid chowkidars. Therefore, the petitioners are entitled to regularisation as daily paid chowkidars after completion of 240 days of their working. Not only this, after completion of 10 years of service as daily paid chowkidars, they would be entitled to regular appointment as chowkidars in the time scale of chowkidars, in accordance with the scheme for regularisation of daily rated workers, which scheme has duly been modified and approved by the Hon'ble Supreme Court in case titled "MOOL RAJ UPADHAYA V/S STATE OF H. P. AND OTHERS". Any how, for the present, the case of the petitioners is confined to their regularisation as daily rated workers and to this extent, the petitioners have proved their claim. Further, the representative of the petitioners has stated that the respondent has not paid the petitioners their wages according to the daily rates approved by the government in respect of regular daily rated chowkidars. Manifestly, on the principle of "EQUAL PAY FOR EQUAL WORK", both the petitioners are entitled to daily rates of chowkidars, which have been sanctioned by the Himachal Pradesh Government from time to time and as such, the petitioners are entitled to the arrear of wages, if they have actually been paid at lessor rates than the rates sanctioned by the Government because the petitioners have been discharging the same duties which are being discharged by the other daily paid chowkidars of the government offices. Therefore, I come to the conclusion that action of the management in not regularising the services of the petitioners after completion of 240 days is not justified and the petitioners are entitled to deference of wages after completion of 240 days of their services and also to other benefits which are available to the daily paid chowkidars appointed on regular basis. As such, I hold that the petitioners have proved this issue. Accordingly, this issue is decided in favour of the petitioners.

RELIEF

7. Keeping my findings on the aforesaid issues in view, I hold that both the petitioners are entitled to regular appointment as chowkidars on daily wages after completion of 240 days service and they are also entitled to arrear of wages and other benefits. As such, the reference is decided in favour of the petitioners. A copy of this award be sent to the Government of Himachal Pradesh, Shimla-2, for its publication in the Himachal Pradesh Rajpatra. A copy of this award be supplied to the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 24th March, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN,
Presiding Officer,
Labour Court, Himachal Pradesh,
Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer,
Labour Court, Himachal Pradesh, Shimla

Reference No: 60 of 1991.

Instituted on: 27-9-1991.

Decided on: 27-3-1995

Shri Balbir Singh.

..Petitioner.

Versus

Administrator,
Municipal Committee,
Dharamshala, District Kangra

..Respondent.

Reference under Section 10 of the Industrial Disputes Act, 1947.

For petitioner: In person.

For respondent: Shri Darshan Lal, AR.

AWARD

Through this reference, the State Government has referred the present dispute regard to the termination of the services of Shri Balbir Singh, hereinafter, referred to as 'petitioner', for determination by this Court.

2. The case of the petitioner is that he was employed by the Municipal Committee, Dharamshala hereinafter referred to as 'respondent' on 1-5-1989, as Junior Engineer on daily wages and thereafter, he worked continuously as Junior Engineer till 19-11-1990, whereafter, his services were terminated. The petitioner has stated that his services have been terminated illegally and as such, he is entitled to re-instatement with back wages. It is also stated that during the said period, the petitioner was paid only Rs. 4/- per day on the ground that he was not possessing required diploma/degree of Engineering, though the respondent had taken the work of Junior Engineer from him. Thus, the petitioner has stated that he is entitled to the wages of Junior Engineer for the said period.

3. On the other hand, the respondent has contested the claim aforesaid of the petitioner on the ground that the appointment of the petitioner was on contract basis and after expiry of the period of contract, his services stood terminated. It is also stated that the petitioner is not entitled to the daily wages of Junior Engineer because he is only an Automobile Engineer and there was no work for Automobile Engineer. Thus, it is stated that the petitioner is not entitled to any relief.

4. On the aforesaid pleadings of the parties, my learned predecessor had framed the following issues:—

1. Whether the petitioner was terminated illegally on 19-11-1990, as alleged? OPP.
2. Whether the petitioner had worked as Junior Engineer and is entitled to the daily wages of Junior Engineer for the period, in question? OPP.
3. Relief.

5. I have heard the petitioner and the representative of the respondent. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:—

FINDINGS

ISSUE NO-1:	Yes
ISSUE NO-2:	No
RELIEF:	Reference answered in favour of the petitioner.

REASONS FOR DECISION

Issue No. 1 :

6. There is no denying the fact that in this case, there had been no written appointment letter in respect of the appointment of the petitioner as Junior Engineer. The evidence on record which has been led by the respondent also does not go to show that the appointment of the petitioner was on contract basis. In fact, the appointment of the petitioner was made on the basis of order passed by Shri Kamal Kant Minocha, the then President of the respondent committee on the application of the petitioner. The said order reads as follows :—

“Engage him against works for the time being”

It would be evident from the aforesaid order that this also does not indicate that the appointment of the petitioner was for a specific period. The perusal of the contents of application of the petitioner, a copy of which is Ex.P-11, would go to show that he had applied for the post of Junior Engineer and had stated that he had passed diploma in Automobile Engineering. The evidence on record would go to show that the petitioner had worked as Junior Engineer during the period from 1-5-1989 to 19-11-1990. During this period, as would be evident from the contents of Ex.Rx, which is the statement of working days of the petitioner, the petitioner had worked for 332 days. However, on 19-11-1990, the services of the petitioner were terminated without any notice and compensation. The plea of the respondent is that the term of appointment of the petitioner had come to an end and as such, his services were terminated. I have considered the said plea in the light of the facts and circumstances of the case and the evidence which has been led by the respondent and am of the view that this plea does not have any basis because there is no material, at all, on record, which may go to show that the appointment of the petitioner was on contract basis. This being so, it has now to be seen as to whether the termination of the petitioner is illegal or not. In this connection, the provisions of Section 25-F of the Industrial Disputes Act, 1947 are relevant, which govern the termination cases like the present one. Of course, the provisions of Section 25-F *supra* do not apply to contract appointment, but, as already stated above, the respondent has failed to prove that the appointment of the petitioner was on contract basis. Section 25-F *ibid* provides that no workman, who has rendered at least one year continuous service, shall be terminated except after the expiry of thirty days notice or in lieu of such notice, he shall be paid wages for one month. Apart from this, it is also provided in the said section of law that such workman shall also be entitled to compensation equivalent to 15 days average wages for every completed year of service. The provisions aforesaid Sec. 25-F of the Industrial Disputes Act, 1947 are mandatory and violation thereof would render the termination illegal. Thus, an employer is under obligation to comply with the said provisions of Section 25-F of the Industrial Disputes Act, 1947 at the time of termination of the services of a workman. Further, the term ‘one year continuous service’, has been defined in Section 25-B of the Industrial Disputes Act, 1947. It provides that a workman who has actually worked for 240 days in a calendar year, shall be deemed to have rendered one year continuous service. In the case in hand, the petitioner had worked for 332 days during the calendar year preceding the date of his termination and as such, the petitioner is entitled to the protection of Section 25-F of the Industrial Disputes Act, 1947. Admittedly, the respondent has not complied with the provisions of Section 25-F of the Industrial Disputes Act, 1947 because the case of the respondent is that the appointment of the petitioner was on contract basis. Therefore, it can straight away be held that the termination of the petitioner is illegal and unjustified and as such, the petitioner is entitled to reinstatement. As such, I hold that the petitioner has proved this issue. Accordingly, this issue is decided in favour of the petitioner.

Issue No. 2 :

7. Neither the petitioner has pressed this issue during the course of arguments nor there is any evidence on record to prove that the daily wages of a Junior Engineer were than Rs.42/- during the relevant period. As such, the petitioner has failed to prove this issue. According this issue is decided against the petitioner.

RELIEF

8. Keeping my findings on the aforesaid issues in view, I hold that the termination dated 19-11-1990 of the petitioner is illegal and unjustified and as such the same is set-aside and the petitioner is ordered to

be re-instated. As regards back wages, the petitioner has worked as Junior Engineer during the period from 24-12-1991 to 9-12-1992 on the basis of order dated 23-12-1991 of my learned predecessor and he has already been paid for the said period. However, if the petitioner has not been paid in accordance with the approved daily rates of Junior Engineer which were prevalent at that time, then the petitioner shall be entitled to arrear of wages. But, after 9-12-1992, the petitioner shall not be entitled to any back wages till the date of his joining. As such, the reference is decided in favour of the petitioner. Accordingly, the reference stands disposed of. A copy of this award be sent to the Government of Himachal Pradesh, Shimla-2 for its due publication in the Himachal Pradesh Rajpatra. A copy of this award be supplied to each of the party, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 27th March, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN,
Presiding Officer,
Labour Court, Himachal Pradesh, Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer
Labour Court, Himachal Pradesh, Shimla

Ref.-46/94

IPH Workers Union

..Petitioner

V/s

Superintending Engineer, I.P.H. Circle, Sundernagar
..Respondent

28-2-1995: Present: Shri Dhani Ram, AR for the
Petitioner.

Shri S.K.Chandel, AR for Respondent.

AWARD

As per statement of Shri Dhani Ram, representative of the petitioners placed on record, he has stated that demands which are subject matter of the present reference have since been met with by the respondent except the demand with respect to leave etc., which is also subject matter of other reference. As such, Shri Dhani Ram has stated that the present reference be disposed of on the basis of this settlement. On the other hand, Shri S.K.Chandel Executive Engineer has not disputed the said statement. Therefore, the present dispute comes to an end and the reference stands disposed of accordingly. A copy of this award be sent to the Government of Himachal Pradesh, Shimla for its publication in the Himachal Pradesh Rajpatra. A copy of this award be supplied to each of the party, if applied for, free of cost. This be consigned to record room after its completion.

Announced in the open Court today the 28th February, 1995 in the presence of the parties.

Seal.

Sd/-
Presiding Officer,
Labour Court, Himachal Pradesh, Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer,
Labour Court, Himachal Pradesh, Shimla

Ref.-27/94-

Khanna Watches Karamchari Sangh ..Petitioner.

Vs.

M/s Khanna Watches Ltd., Panwano ..Respondent

13-3-1995: Present: Shri Hem Raj, AR with Shri Ravinder Kumar, General Secretary for petitioners.

Shri M.L. Bhagra, Manager Administration and Public Relations with Shri V. K. Gupta, AR.

AWARD

As per statements of the parties placed on record, the parties have arrived at amicable settlement with respect to the present dispute. According to the settlement, the respondent-management has agreed to re-instate all the five workers namely S/Shri Ravinder Kumar, Keshav Ram, Dayal Singh, Raj Kumar and Mohinder Singh, while these workers in turn, have given up their claim with respect to their wages/salaries for the period of suspension. However, the period of suspension will be counted for continuity of service and these workers will be entitled to all benefits in respect of the said period except the benefit of wages/salary. Out of these five workers, four workers have already been re-instated and they shall stand re-instated from the same date, while the fifth worker Shri Ravinder Kumar shall stand re-instated w.e.f. today i.e. 13-3-1995. Accordingly the workers have given up their claim which they have set up in the present reference and the reference stands disposed of on the basis of the settlement, aforesaid. A copy of this award be sent to the Government of Himachal Pradesh for its publication in accordance with law. A copy of this award be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 13th March, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN,
Presiding Officer,
Labour Court, Himachal Pradesh, Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer,
Labour Court, Himachal Pradesh, Shimla

Ref.-88/93

Bhag Chand ..Petitioner.
Vs.

Managing Director M/s Tube Expansion Equipment (P) Ltd. Parwanoo ..Respondent.

16-3-1995 Present: Shri Bhag Chand petitioner in person.

Shri V. K. Gupta, AR for the respondent.

AWARD

As per statements of the parties placed on record, the parties have arrived at settlement. According to the settlement, the respondent management has given a fresh appointment to the petitioner as Supervisor (Stores), w.e.f. 1-4-1995 on basis salary of Rs.1500/- with gross emoluments of Rs.2300/- and in turn, the petitioner has given up his claim with respect to the reference, in question and also in respect of his past service and wages. As such, the present dispute comes to an end. Accordingly, the reference is decided on the basis of the settlement aforesaid. A copy of this award be sent to the Government of Himachal Pradesh Shimla for its publication in the Himachal Pradesh Rajpatra. A copy of this award be supplied to each of the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 16th March, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN,
Presiding Officer,
Labour Court, Himachal Pradesh, Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer,
Labour Court, Himachal Pradesh Shimla

Ref.-77/94

Phool Kali ..Petitioner.
Vs.

M/s R. K. Plastic Films, Parwanoo. ..Respondent.

22-3-1995: Present: Shri A. K. Sharma, AR for the Petitioner.

Shri Tiwari Singh, AR for the respondent.

Heard.

AWARD

As per statements of the parties representatives placed on record, the parties have arrived at settlement. According to the settlement, the respondent has paid a sum of Rs.2000/- to the petitioner in lieu of her entire claim, which she has set up in the present reference. As such, as a result of this settlement, the petitioner has given up her claim with respect to her termination. Accordingly, the dispute, in question, comes to an end and the reference stands disposed of on the basis of the settlement aforesaid. A copy of this award be sent to the Government of Himachal Pradesh, Shimla-2 for its publication in the Himachal Pradesh Rajpatra. A copy of this award be supplied to the parties, free of cost, if applied for. This be consigned to record room, after its completion.

Announced in the open Court today the 22nd March, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN,
Presiding Officer,
Labour Court, Himachal Pradesh, Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer,
Labour Court, Himachal Pradesh Shimla

Ref.-80/94

Satish Kumar ..Petitioner.
Vs.

M/s. Forge India, Parwanoo ..Respondent.

22-3-1995: Present: Shri A. K. Sharma, AR for the Petitioner.

None for the respondent.

Heard.

AWARD

As per statement of Shri A. K. Sharma, AR for the petitioner placed on record, the petitioner has arrived at settlement with the respondent. According to the settlement, the petitioner has been paid a sum of Rs. 1000/- by the respondent and in lieu of the said amount of Rs. 1000/-, the petitioner has given up his entire claim which he has set up in the present reference. As such, the dispute comes to an end. Accordingly, the reference stands disposed of on the basis of the said settlement. A copy of this award be sent to the Government of Himachal Pradesh for its publication in the Himachal Pradesh Rajpatra in accordance with law. A copy of this settlement be supplied to the parties, free of cost, if applied for. This be consigned to the record room after its completion.

Announced in the Open Court today the 22nd March, 1995.

Seal.

B. S. CHOUHAN,
Presiding Officer,
Labour Court, Himachal Pradesh, Shimla.

In the Court of Shri B. S. Chouhan, Presiding Officer,
Labour Court, Himachal Pradesh, Shimla

Ref.-42/92

Virender Kumar

..Petitioner.

Vs

Procurement & Sales Officer, Bilaspur (H. P.).

25-3-1995: Present: Shri Parkash Kalia, AR for
petitioner.

Shri R. P. Sharma, respondent in person.

Heard.

AWARD

As per statements of the parties representatives placed on record, the dispute stands settled between the parties. According to the settlement, the respondent has agreed to take back the petitioner on the same work at the same place where he was working till 16-9-1990. The petitioner will report for duty on 1-4-1995. However, the petitioner will not be entitled to any wages for the period from 17-9-1990 to 31-3-1995. But, the said period will be counted for continuity of service of the petitioner. As such, the dispute comes to an end and present reference stand disposed of on the basis of the settlement aforesaid. A copy of this award to be sent to the Government of Himachal Pradesh for its publication in the Himachal Pradesh Rajpatra. A copy of this award be supplied to the parties, free of cost, if applied for. This be consigned to record room after its completion.

Announced in the Open Court today the 25th March, 1995 in the presence of the parties.

Seal.

B. S. CHOUHAN,
Presiding Officer,
Labour Court, Himachal Pradesh, Shimla.

उद्योग विभाग

अधिसूचना

शिमला-2, 7 जून, 1995

संख्या इण्ड0-ए (एफ) 10-1/94.—यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन नामतः गांव कुजहल व झाडमाजरी, तहसील नालागढ़, जिला सोलन में एक्स्पॉर्ट प्रमोशन इण्डस्ट्रीयल पार्क की स्थापना हेतु भूमि अर्जन करनी अपेक्षित है, अनएव एतद्वारा यह अधिसूचित किया गया है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निदिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और अधिकारियों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित या अनुमत अन्य सभी कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी हितवद्ध व्यक्ति जिसे उपरोक्त परिक्षेत्र में कथित भूमि का अर्जन पर कोई आपत्ति हो ता वह इस अधिसूचना के प्रकाशित होने के 30 दिनों की अवधि के भीतर लिखित रूप में

भू-अर्जन समाहर्ता उस-मण्डलाधिकारी (ना0) नालागढ़ क समक्ष अपनी आपत्ति दायर कर सकता है।

विवरणी

जिला : सोलन

तहसील : नालागढ़

गांव	खसरा नं०	क्षेत्रफल	
		वीघा	बिस्वा
1	2	3	4
कुंजाहल	393	15	07
	394	7	18
	415	9	11
	396	4	07
	397	0	15
	398	1	02
	399	2	14
	395	4	06
	400	5	17
	401	1	10
	402	2	17
	406	6	13
	411	11	04
	412	2	00
	716/414	1	14
	714/414	2	00
	420	0	13
	413	1	19
	416	2	14
	417	1	03
	418	0	06
	419	0	10
	421	0	08
	422	6	12
	715/414	4	14
	403	3	17
	404	16	15
	429	6	09
	431	1	01
	432	0	15
	433	2	04
	434	0	14
	435	0	06
	436	1	00
	437	1	07
	438	0	15
	407	6	02
	408	2	19
	409	0	10
	410	6	19
	430	1	18
	732/582	5	07
	730/581	5	07
	728/580	1	02
	731/581	4	05
फिक्ता	45	168	06
झाड माजरी	250	1	08
	251	3	00
	252	1	13
	253	1	09
	254	0	06
	255	1	14
	256	6	00
	259	10	00
	260	7	10
	261	7	11
	262	0	16

1	2	3	4
	263	0	16
	264	0	15
	225	25	19
	241	12	05
	233	5	19
	245	4	00
	246	0	14
	247	10	08
	248	9	07
	249	2	14
	257	3	14
	258	1	08
	237	7	07
	239	0	13
	240	8	08
	242	7	00
	713/267	3	16
	579/236	7	14
	243	21	02
	580/236	4	16
	234	16	08
	265	7	12
	638/268	5	07
	235	5	06
कित्ता . . .	35	214	15
कुल कित्ता . . .	80	383	01

आदेश द्वारा,
हस्ताक्षरित/-
वित्तायुक्त एवं सचिव।

पर्यटन विभाग

अधिसूचना

शिमला-2, 5 जून, 1995

संख्या पर्यटन-एफ(10)1/95.—यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन के लिए नामतः गांव जिल्हण (झटींगरी), तहसील जोगिन्दरनगर, जिला मण्डी में पर्यटन कम्प्लेक्स के निर्माण व पर्यटन विकास हेतु भूमि अर्जित करनी अपेक्षित है। अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हो सकते हैं की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्यपाल हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों/कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमत अन्य सभी कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. अत्याधिक आवश्यकता को दृष्टि में रखते हुए, राज्यपाल, हिमाचल प्रदेश उक्त अधिनियम की धारा 17 की उप-धारा 4 के अधीन यह भी आदेश देते हैं कि उक्त अधिनियम की धारा 5(ए) के उपबन्ध इस मामले में लागू नहीं होंगे।

विवरणी		उप-तहसील : पवर		
जिला : मण्डी		रकबा (बीघों में)		
मौजा/परगना	खसरा नं०			
जिल्हण/गुमा	921	0	11	10
	922	0	16	07
	923	1	09	16
	924	0	05	04
कित्ता . . .	4	3	02	17

आदेश द्वारा,

रेणु साहनी घर,
आयुक्त एवं सचिव।

सिचाई एवं जन स्वास्थ्य विभाग

अधिसूचनाएं

यत हिमाचल प्रदेश क राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन के लिए नामतः* भूमि ली जानी अपेक्षित है, अतएव एतद्वारा यह घोषित किया जाता है कि निम्नलिखित विस्तृत विवरणी में वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है।

2. भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों की सूचना के लिए घोषणा की जाती है तथा उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन समाहर्ता भू-अर्जन, हिमाचल प्रदेश लोक निर्माण विभाग, हमीरपुर को उक्त भूमि के अर्जन के लिए आदेश लेने का एतद्वारा निदेश दिया जाता है।

3. भूमि का रेखांक, समाहर्ता भू-अर्जन, लोक निर्माण विभाग, हमीरपुर हिमाचल प्रदेश के कार्यालय में निरीक्षण किया जा सकता है।

*गांव बहडाला, तहसील व जिला ऊना में पेयजल योजना बहडाला (पम्प हाऊस) के निर्माण के लिए।

संख्या सिचाई 11-42/94-ऊना.

शिमला-2, 8 जून, 1995

विस्तृत विवरणी		तहसील : ऊना		
जिला : ऊना		क्षेत्र (हैक्टेयरों में)		
गांव	खसरा नं०			
बहडाला	2257/2	0	01	92

*गांव टक्का, तहसील व जिला ऊना में ट्यूबवैल नं० 16 के निर्माण के लिए।

संख्या सिचाई 11-12/94-ऊना।

शिमला-2, 8 जून, 1995.

विस्तृत विवरणी		तहसील : हरोली		
जिला : ऊना		क्षेत्र (हैक्टेयरों में)		
गांव	खसरा नं०			
टक्का	1621	0	02	72
	1622	0	00	58
कित्ता . . .	2	0	03	30

उप-तहसील : हरोली

*गांव भदौड़ी, उप-तहसील हरोली, जिला ऊना में ट्यूबवैल नं० 23 के निर्माण के लिए।

संख्या सिंचाई 11-6/94-ऊना ।

शिमला-2, 8 जून, 1995.

शिमला-2, 5 जून, 1995

गांव	खसरा नं०	क्षेत्र कनाल मरले
भदौड़ी	322/1	3 04

आदेश द्वारा,

पी० एस० राणा,
सचिव ।

लोक निर्माण विभाग

अधिसूचनाएं

शिमला-171002, 5 जून, 1995

संख्या पी० वी० ड०-वी० एण्ड आर (बी) 7(1)-36/94.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव फाटी खराहल, तहसील व जिला कुल्लू में रामशीला विजली महादेव सड़क के निर्माण हेतु भूमि अर्जित करना अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में विनिर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन करना अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने और सर्वेक्षण करने तथा उस धारा द्वारा अपेक्षित अथवा अनुमत अन्य सभी कार्यों को करने के लिए सहर्ष प्राधिकृत देते हैं।

4. कोई भी हितवद्ध व्यक्ति, जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस (30) दिनों की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, लोक निर्माण विभाग कुल्लू के समक्ष अपनी आपत्ति दायर कर सकता है।

विवरणी

जिला : कुल्लू

तहसील : कुल्लू

गांव	खसरा नं०	क्षेत्र बीघा बिस्वा	विस्वां०
1	2	3 4 5	
फाटी खराहल/कोठी फाईस	4586/1	1 06	17
	4588/1	0 05	11
	4589/1	1 02	01
	4688/1	0 13	16
	8139/1	0 13	06
	4719/1	0 03	14
	4725/1	0 07	10
	4883/1	0 00	08
	4882/1	0 07	00
	4881/1	0 08	14
	4879/1	1 14	07
कित्ता ..	11	7 03	04

संख्या लो० नि० (ख) 7(1) 269/91.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव दूल, तहसील जोगिन्दरनगर, जिला मण्डी में जिम-जिमा सड़क के निर्माण हेतु भूमि अर्जित करना अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इससे सम्बन्धित हो सकते हैं की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों तथा श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमत अन्य सभी कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी ऐसा हितवद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन करने पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस (30) दिन की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, लोक निर्माण विभाग, मण्डी के समक्ष अपनी आपत्ति दायर कर सकता है।

विवरणी

जिला : मण्डी

तहसील : जोगिन्दरनगर

गांव	खसरा नं०	क्षेत्र बीघा बिस्वा
दूल	61/1	0 05 17
	1317/22/1	0 03 12
कित्ता ..	2	0 09 09

शिमला-2, 5 जून, 1995

संख्या पी० वी० ड०-वी० ए० (7) 1-109/94.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव जडोल, तहसील सुन्दरनगर, जिला मण्डी में राष्ट्रीय उच्च मार्ग-21 के निर्माण हेतु भूमि ली जानी अपेक्षित है, अतएव एतद्वारा यह घोषित किया जाता है कि नीचे विवरणी में वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है।

2. यह घोषणा, भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन इससे सम्बन्धित सभी व्यक्तियों की सूचना हेतु की जाती है तथा उक्त अधिनियम की धारा-7 के अधीन भू-अर्जन, समाहर्ता, लोक निर्माण विभाग, मण्डी को उक्त भूमि के अर्जन करने के आदेश लेने का एतद्वारा निदेश दिया जाता है।

3. भूमि का रेखांक भू-अर्जन, समाहर्ता, लोक निर्माण विभाग, के कार्यालय में निरीक्षण किया जा सकता है।

विवरणी

जिला : मण्डी

तहसील : सुन्दरनगर

गांव	खसरा नं०	क्षेत्र बीघा बिस्वा
जडोल	879	2 03 14
	896	1 08 17
कित्ता ..	2	3 12 11

शिमला-2, 18 मई, 1995

1

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संख्या लो० नि० (ख) 7(1)-119/92.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव कुगंडत, तहसील व जिला ऊना में संतोषगढ़-पोलिया सड़क कि० मी० 4/0 से 11/0 तक के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है। अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अधीन जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने और सर्वेक्षण करने तथा उस धारा द्वारा अपेक्षित अथवा अनुमत अन्य सभी कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी हितवद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस (30) दिन की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, लो० नि० वि०, हमीरपुर के समक्ष अपनी आपत्ति दायर कर सकता है।

विवरणी

जिला : ऊना

तहसील : ऊना

गाँव	खसरा नं०	क्षेत्र	
		क०	म०
1	2	3	4
कुगंडत	1574/1	0	02
	4576/1	0	01
	4581/1	0	02
	4584/1	0	14
	4589/1	0	08
	4592/1	0	19
	4593/2	1	07
	4595/2	1	12
	4627/1	1	15
	4628/1	1	11
	4629/1	0	01
	4631/1	0	16
	4637/1	0	02
	3638/1	3 सरसाही	
	5749/1	0	05
	5752/1	0	01
	5754/1	0	15
	5855/1	0	02
	5865/1	0	02
	5875/1/1	0	08
	5875/2/1	0	09
	5876/1	0	04
	5878/1	0	06
	5879/1	0	03
	5884/1	0	15
	5885/1	0	08
	5886/1	0	12
	5887/1	1	14
	5890	1	11
	6111/1	5	05
	6173/1	0	04
	6174/1	0	05
	6175/1/1	0	04
	6175/2/1	0	04

6176/1/1	0	08
6176/2/1	0	06
6179/1/1	0	03
6179/2/1	0	09
6979/3/1	0	04
6283	0	02
6284/1	0	09
6286/1	1	02
6287/1	0	01
6288/1	1	05
6299/1	0	06
6300/1	1	02
6310/1	0	10
6311	0	04
6312/1	0	13
6315/1	1	01
6316/1	0	03
6318/1	0	04
6322/1	0	11
6323/1	0	09
6324/1	0	12
6331/1	0	08
6360/1	3	05
6332/1	0	19
6333/1	0	06
6334/1	1	13
6335	0	04
6336	0	08
6334/1	0	05
6337	0	09
6358/1	0	07
6338/1	0	01
6339/1	3	03
6340	0	05
6341/1	0	03
6364/1	1	09
6353/1	0	12
6348/1	2	16
6368/1	0	01
6372/1	0	02
6354/1	1	15
6355/1	0	06
6373/1	0	11
6374/1	0	02
6375/1	0	13
6376/1	1	11
6377/1	0	18
6378/1	0	13
6517/1	1	00
6518/1	0	09
6519/1	0	09
6520/1	0	06
6521/1	0	07
6569/1	0	02
6577/1	0	08
6570/1	0	01
6572/1	0	12
6573/1	0	11
6575/1	0	13
6576/1	0	01
6580/1	0	02
6581/2	0	07
6586/1	1	18
6587/1	0	03
6588/1	0	05
6589/1	0	04
6590/1	0	03
6591/1	0	11

1	2	3	4	1	2	3	4
	6592/1	0	03		7611/1	0	18
	6593/1	1	00		7615/1	0	18
	6594/1	0	04		7616/1	0	11
	6595/1	1	01		7617/1	0	14
	7569/1	0	08		7618	0	09
	7571/1	1	07		7618/1/1	0	03
	7572/1	0	03		7619	1	09
	7574/1	3	19		7625/1	0	67
	7594/1	1	07		7626	1	02
	7595/1	0	14		7695/1	0	09
	7597/1	0	07				
	7589/1	0	02	कित्ता . .	130	81	17
	7601/1	0	14				
	7602	0	02	कुल जोड़ . .	195	207	03
	7603/1	0	03				
	7604/1	0	13				
	7608/1	0	01				
	7609/1	1	07				
	7610	0	02				

आदेश द्वारा,

पी 0 एस 0 राणा,
सचिव

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि।

-शून्य-

भाग 3--प्रधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, कार्मिनिगेशनल कमिशनर तथा कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि।

TOWN AND COUNTRY PLANNING
DEPARTMENT

NOTIFICATION

Shimla-2, the 17th May, 1995

No. TCP-F(6)-4/95.—In exercise of the powers vested in him, under Section 87 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), the Governor of Himachal Pradesh proposes to make the following rules to amend the Himachal Pradesh Town and Country Planning Rules, 1978, framed vide this Government Notification No. 9-12/72-PW (B), dated 30-3-79 published in R. H. P. (Extra), dated 6-4-79 at P-1169 to 1191. The draft of the said rules, as required by sub-section (1) of the said section, is published for the information of all the persons likely to be affected by these rules and notice is hereby given that the draft rules will be taken into consideration on or after the expiry of the period of 30 days from the date of publication of this notification in the Rajpatra, Himachal Pradesh.

Any objection or suggestion which may be received by the Director, Town and Country Planning Organisation, Himachal Pradesh, Govil Niwas, Opposite Himland Hotel, Cart Road, Shimla-1, from any person with respect to the said draft rules before the expiry of the period specified above will be considered by the State Government before finalising the proposed rules namely,—

DRAFT RULES

THE HIMACHAL PRADESH TOWN AND
COUNTRY PLANNING (AMENDMENT)
RULES, 1995.

1. *Short title.*—These rules may be called the Himachal Pradesh, Town and Country Planning (Amendment) Rules, 1995

2. In the Himachal Pradesh, Town and Country Planning Rules, 1978 (hereinafter called the said rules), after rule 18, the following rule 18-A be added, namely:—

Sub-section (1) of Section-39 and 87 (2) (XXIII).—

“18-A Form of Notice for demolition, alteration

and discontinuation of unauthorised development:—

The notice under Sub-section (1) of Section-39 shall be in Form-XVI-A”.

3. *Addition of rules, 19-A, 19-B, 19-C and 19-D.*—After rule 19 of the said rules, the following rules 19-A, 19-B, 19-C and 19-D shall be added, namely:—

“19-A Form of order for stopping the development under Section 9-A.—The order to stop unauthorised development under sub-section (1) of section 39-A shall be in Form XVII-A.

19-B Police assistance.—Where any development after the service of the order under sub-section (1) of section-39-A, is not stopped in pursuance of the notice served in Form XVII-A, the Officer empowered by the State Government or the Competent authority as the case may be shall by an order in Form XVII-B, request the Station House Officer of the nearest Police Station to deploy adequate police force to remove the person (s) by whom development has been commenced and all his assistants and workmen from the place of development and seize all construction material, tools, machinery, scaffolding or other things used in such development; and articles so seized shall be dealt with or disposed of in accordance with the provisions of sub-sections (3) and (4), of section-9-A.

19-C Order of stoppage and deployment of police by the State Government:—Where the Competent Authority has failed to make an order to stop the development under sub-section (1) of Section-39-A of the Act, and in case such order of stoppage has been made, has failed to requisition police assistance under sub-section (2) for a period of sixty days, the State Govt. may, after calling, for the report of the competent authority concerned, direct the competent authority or any other officer as the State Govt. may deem fit, to make the order to stop the development under sub-section (1),

or as the case may be requisition the police assistance under sub-section (2) of Section-39-A of the Act; and such competent authority or the officer shall carryout such directions.

19-D.—Sealing of un-authorised development:— Wherever it is considered expedient to seal any un-authorised development under sub-section (1) of section-39-B of the Act, the Officer of the State Government, empowered in this behalf, or as the case may be, the competent authority shall afford, in Form XVII-C, the reasonable opportunity of being heard to the persons against whom the order is purported to be made”.

4. In Section of form-XVI-A.—After Form-XVI of the said rules, the following Form-XVI-A shall be inserted, namely :—

“FORM-XVI-A”

(See Rule—18-A)

DIRECTORATE OF TOWN AND COUNTRY PLANNING DEPARTMENT, HIMACHAL PRADESH

No.....Dated.....

To

Shri.....

.....

.....

.....

(Owner/Occupier)

Subject.—Notice under section-39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977).

Whereas it has been observed that you have commenced/carried out/are carrying out/development on the land on you have changed or are changing the use of land i. e.

(Description of Land)

Situated in Khasra No.....
Ward/Mohal/Village.....
Tehsil.....District.....
Himachal Pradesh.

(a) Without the permission required under section 15-A/16/31 of the above cited Act.

(b) In contravention of the permission granted under section.....vide Letter/Order No.....
Dated

(c) In construction of the permission duly modified under section.....vide Letter/Order No.....
Dated

(d) After the permission for development has been duly revoked under section.....
vide Letter/Order No.....
Dated..... you are hereby directed—

(i) to restore the land to the condition existing before the development took place.

(ii) to comply with the conditions of the permission granted or modifications approved and conveyed to you vide Letter/Order No.....
Dated.....

(iii) to demolish the development made by you in contravention of the provisions of the Act and rules made thereunder e.g.....

(iv) to alter the development in conformity with the condition subject to which permission has been granted to you e. g.....

(v) to stop/discontinue the development operations e. g.....

Within a period of.....
from the date of service of this notice. If within the period specified in this notice you fail to comply with the above direction(s) you shall be liable for action under section..... of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No 12 of 1977).

..... (Signature)

.....

..... Designation

(*Strike off which is not applicable)

Section 5. Form-XVII-A, XVII-B and XVII-C.— After the Form XVII of the said rules, the following Forms XVII-A, XVII-B and XVII-C shall be inserted, namely :—

“FORM-XVII-A”

(See Rule-19-A)

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH

No.....Dated.....

Subject.—Order under section-39.A (1) to discontinue or to stop the development on land comprised of Khasra No..... Ward/Mohal/Village.....
Tehsil.....District.....
situated in the..... Planning Area/Special Planning Area.

Whereas it has been brought to the notice of the undersigned, pursuant to the inspection conducted on..... that unauthorised development is being or has been carried out by Shri..... on the land as detailed in Annexure-A to this order.

And Whereas the said unauthorised development falls within..... Planning Area/Special Area is being or has been carried out in contravention of the provisions of the Himachal Pradesh, Town and Country Planning Act, 1977/violation of the permission, approval and sanction/completion accorded vide letter No.....
dated.....

It is hereby directed that the said development shall discontinue forthwith on the above referred land.

..... (Signature)

.....

..... (Designation)

for on behalf of the State Government of Himachal Pradesh.

Shri.....

Address.....

.....

ANNEXURE-A

Details of un-authorised development

FORM-X-VII-B

(See Rule 19-B)

TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH

No.....Dated.....

Whereas it had been noticed that Shri.....

.....s/o.....r/o.....
 who carried out/had carried
 out un-authorized development on the land situated in
 Kh. No.....Ward/Mohal/Village.....
 Tehsil.....District.....in
 contravention of the provisions of Himachal Pradesh,
 Town and Country Planning Act, 1977 or in contra-
 vention of the conditions of the permission/approval
 granted to him under the said Act;

And Whereas the undersigned in pursuance to the
 powers vested in me under sub-section (1) of section
 -39-A has ordered the discontinuance/stoppage of the
 said development vide this office order No.....

.....dated.....
 And Whereas, the said development has not been
 discontinued by the said person in pursuance of the
 order under sub-section (1) of section-39-A of the
 Act (ibid).

Now, therefore, the undersigned, being the autho-
 rised officer in this behalf, in pursuance of the provi-
 sions contained in sub-section (2) of section-39-A
 of the Act (ibid) require you to deploy adequate
 police force to remove, within.....days the
 said person by whom the development has been commen-
 ced and all his assistants and workmen from the place of
 development and to seize all construction material, tools,
 machinery, scaffolding or other things used in such
 development.

.....(Signature),

(Designation)
 for on behalf of the State Govt.
 of Himachal Pradesh.

To

The.....
 Address.....

FORM XVII-C

(See Rule 19-D)

TOWN AND COUNTRY PLANNING DEPARTMENT HIMACHAL PRADESH

NOTICE UNDER SECTION 39 (B) OF THE H. P. TOWN AND COUNTRY PLANNING ACT, 1977 (ACT, NO 12 OF 1977)

No.....Dated.....

To

.....

Whereas it has been brought to the notice of the
 undersigned, pursuant to the inspection conducted on
that unauthorised development
 is being or has been carried out by you on the land
 situated in Kh. No.....Ward/Mohal/Village.....
District.....in contravention
 of the provisions of section (15-A), 16 and 31 of the
 Himachal Pradesh, Town and Country Planning Act
 1977 (Act No. 12 of 1977) or in violation of the condi-
 tions of the permission/approval given to you vide
 letter No.....dated.....

Now, therefore, in order to prevent any dispute as to
 the nature and extent of the unauthorised development
 and for the purpose of carrying out the provisions of
 the H. P. Town and Country Planning Act, 1977, it is
 proposed to make an order sealing the said unautho-
 rised development under section-39-B of the Himachal
 Pradesh, Town and Country Planning Act, 1977.

Now therefore you are hereby called upon to show
 cause within a period.....from the service
 of this notice to the satisfaction of the undersigned as to
 why the said unauthorised development be got directed

to be sealed under section-39 (B) of Himachal Pradesh,
 Town and Country Planning Act, 1977.

Take further notice that on.....(date)
 between.....(time) you and/or your autho-
 rised representative shall appear for hearing in my above
 referred office, in support of your contentions, failing
 which you shall be proceeded against *ex-parte*.

At the time of hearing you may also, in addition to
 the above, produce such evidence as you may desire to
 produce in support of your contentions.

.....(Signature)

(Designation)
 for on behalf of the State
 Govt. of Himachal Pradesh.

By Order,
 P. S. NEGI,

Financial Commissioner-cum-Secretary.

TOWN AND COUNTRY PLANNING DEPARTMENT

NOTIFICATION

Shimla-2, the 17th May, 1995

No. TCP-F(6)-4/95.—हिमाचल प्रदेश के राज्यपाल,
 हिमाचल प्रदेश नगर एवं ग्राम योजना अधिनियम, 1977
 (1977 का 12) की धारा-87 द्वारा प्रदत्त शक्तियों का प्रयोग
 करते हुए, इस सरकार की अधिसूचना संख्या 9-12/72-
 पी0डब्ल्यू (बी), तारीख 30-3-79 के राजपत्र (असाधारण)
 हिमाचल प्रदेश में पृष्ठ 1169 से 1191 पर प्रकाशित हिमाचल
 प्रदेश नगर और ग्राम योजना नियम, 1978 को संशोधन करने के
 लिए निम्नलिखित नियम बनाने का प्रस्ताव करते हैं। उक्त धारा की
 उप-धारा (1) द्वारा यथापेक्षित उक्त नियम का प्रारूप इन नियमों से
 संभाव्य प्रभावित सभी व्यक्तियों की जानकारी के लिए प्रकाशित किया
 जाता है और एतद्वारा सचना दी जाती है कि इस अधिसूचना के
 राजपत्र में प्रकाशित किए जाने की तारीख को या उसके अवसान के
 पश्चात् इन प्रारूप नियम पर विचार किया जाएगा।

पूर्वोक्त विनिर्दिष्ट अवधि के अवसान से पूर्व उक्त प्रारूप नियम के बारे
 में निदेशक, नगर और ग्राम योजना संगठन, हिमाचल प्रदेश, शोबिल
 निवास, हिमलैंड होटल के सामने कार्ट रोड, शिमला-171 001 द्वारा
 प्राप्त किसी आक्षेप, सुझाव पर राज्य सरकार द्वारा प्रस्तावित नियमों
 को अन्तिम रूप देने से पूर्व विचार किया जाएगा।

DRAFT RULES

THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING (AMENDMENT) RULES, 1995

1. संक्षिप्त नाम.—इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश
 नगर और ग्राम योजना (संशोधन) नियम, 1995 है।

2. नियम 18-ए का जोड़ा जाना:—हिमाचल प्रदेश, नगर और
 ग्राम योजना नियम, 1978 में (जिसे इसमें इसके पश्चात् उक्त
 नियम कहा गया है) नियम 18 के पश्चात् निम्नलिखित नियम
 18-ए जोड़ा जाएगा, अर्थात्:—

Sub-Section (1) of Section-39 and 87 (2) XXIII.—

**“18-A Form of notice for demolition, alteration and
 discontinuation of unauthorised development :—**

The notice under sub-section (1) of Section-39 shall
 be in Form-XVI-A.

3. नियम 19-ए, 19-बी, 19-सी, और 19-डी का जोड़ा जाना:—
 उक्त नियम के नियम 19 के पश्चात् निम्नलिखित नियम
 19-ए, 19-बी, 19-सी और 19-डी जोड़ जाएंगे, अर्थात्:—

**“19-A Form of order for stopping the development
 under Section-29-A :—The order to stop unautho-
 rised development under sub-section (1) of section
 39-A shall be in Form-XVII-A.**

19-B Police assistance.—Where any development after the service of the order under sub-section (1) of section-39-A, is not stopped in pursuance of the notice served in Form XVII-A, the officer empowered by the State Government or the Competent authority as the case may be shall by an order in Form XVII-B, request the Station House Officer of the nearest Police Station to deploy adequate police force to remove the person(s) by whom development has been commenced and all his assistants and workmen from the place of development and seize all construction material, tools, machinery, scaffolding or other things used in such development; and articles so seized shall be dealt with or disposed of in accordance with the provisions of sub-section (3) and (4), of section 39-A.

19-C Order of stoppage and development of Police by the State Government :—Where the Competent Authority has failed to make an order to stop the development under sub-section (1) of Section-39-A of the Act, and in case such order of stoppage has been made, has failed to requisition police assistance under sub-section (2) for a period of Sixty days, the State Government may, after calling for the report of the Competent Authority concerned, direct the competent authority or any other officer as the State Government may deem fit, to make the order to stop the development under sub-section (1), or as the case may be requisition the Police assistance under sub-section (2) of Section 39-A of the Act; and such competent authority or the officer shall carryout such direction.

19-D Sealing of un-authorised development :—Wherever it is considered expedient to seal any un-authorised development under sub-section (1) of Section-39-B of the Act, the Officer of the State Government, empowered in this behalf, or as the case may be, the competent authority shall afford, in Form XVII-C, the reasonable opportunity of being heard to the persons against whom the order is purported to be made”.

4. प्ररूप XVI-ए का अन्तः स्थापनः—उक्त नियम के प्ररूप XVI के पश्चात् निम्नलिखित प्ररूप XVI-ए अन्तः स्थापित किया जाएगा, अर्थातः—

“FORM-XVI-A

(See Rule 18-A)

DIRECTORATE OF TOWN AND COUNTRY PLANNING DEPARTMENT HIMACHAL PRADESH

No Dated.....

To
Shri.....

.....

.....

(Owner/Occupier)

Subject.—Notice under section-39 of the Himachal Pradesh Town & Country Planning Act, 1977 (Act No. 12 of 1977).

Whereas it has been observed that you have commenced/carried out/are carrying out/development on the land or you have changed or are changing the use of land i. e

(Description of land)

situated in Khasra No.....

Ward/Mohal/Village.....

Tehsil.....District.....

Himachal Pradesh.

(a) Without the permission required under section 15-A/16/31 of the above cited Act.

(b) In contravention of the permission granted under section.....vide Letter/Order No.....dated.....

(c) In continuation of the permission duly modified under section.....vide letter/Order No.....dated.....

(d) After the permission for development has been duly revoked under section.....vide Letter/order No.....dated.....

You are hereby directed—

(i) to restore the land to the condition existing before the development took place.

(ii) to comply with the conditions of the permission granted or modifications approved and conveyed to you vide Letter/Order No.....dated.....

(iii) to demolish the development made by you in contravention of the provisions of the Act and rules made thereunder e. g

(iv) to alter the development in conformity with the condition subject to which permission has been granted to you e. g.....

(v) to stop/discontinue the development operations e. g. within a period of from the date of service of this notice. If within the period specified in this notice you fail to comply with the above direction(s) you shall be liable for action under section..... of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977).

5. प्ररूप XVII-A, XVII-बी और XVII-सी का अन्तः स्थापन.—उक्त नियम के प्ररूप XVII के पश्चात् निम्नलिखित प्ररूप XVII-ए, XVII-बी और XVII-सी अन्तः स्थापित किए जाएंगे, अर्थातः—

..... (Signature)

..... (Designation)

(*Strike off which is not applicable)

“FORM-XVII A”
(See rule 19-A)

TOWN AND COUNTRY PLANNING DEPARTMENT, HIMACHAL PRADESH

No..... Dated.....

Subject .— Order under section-39-A (1) to discontinue or to stop the development on land comprised of Khasra No..... Ward/Mohal/Village Tehsil District..... situated in the..... Planning Area/Special Planning Area.

WHEREAS it has been brought to the notice of the undersigned, pursuant to the inspection conducted on that unauthorised development is being or has been carried out by Sh..... on the land as detailed in Annexure-A to this order.

And whereas the said unauthorised development falls within.....Planning Area/Special Area is being or has been carried out in contravention of the provisions of the H. P. Town & Country Planning Act, 1977, Violation of the permission, approval and sanction/completion accorded vide letter No.Dated.....

It is hereby directed that the said development shall discontinue forthwith on the above referred land.

..... (Signature)
.....
..... (Designation)
for on behalf of the State
Government of Himachal Pradesh.

Shri.....
Address.....

ANNEXURE-A

Details of un-authorised development

FORM-XVII-B

(See rule 19-B)

TOWN & COUNTRY PLANNING DEPARTMENT HIMACHAL PRADESH

No..... Dated.....

Whereas it had been noticed that Shri.....
s/o..... r/o.....
.....who carrying out/had carried
out un-authorised development on the land situated in
Kh. No. Ward/Mohal/
Village..... Tehsil.....
District..... in contravention
of the provisions of the H. P. Town and Country Planning
Act, 1977 or in contravention of the conditions of
the permission/approval granted to him under the said
Act;

And whereas the undersigned in pursuant to the
powers vested in me under sub-section(1) of section-39-A
has ordered the discontinuance/stoppage of the said
development vide this office order No.....
dated.....

And whereas, the said development has not been
discontinued by the said person in pursuance of the
order under sub-Section (1) of section-39-A of the Act
(*ibid*).

Now, therefore the undersigned, being the authorised
officer in this behalf, in pursuance of the provisions
contained in sub-section (2) of section-39-A of the Act
(*ibid*) require you to deploy adequate police force to
remove, within.....days the said person
by whom the development has been commenced and all
his assistants and workmen from the place of develop-
ment and to seize all construction material, tools mach-
inery, scaffolding or other things used in such development.

..... (Signature)
.....
..... (Designation)
for on behalf of the state Government
of Himachal Pradesh.

To

The.....
Address.....

FORM XVII-C

(See Rule 19-D)

TOWN AND COUNTRY PLANNING DEPARTMENT, HIMACHAL PRADESH

Notice under Section 39 (B) of the H. P. Town and
Country Planning Act, 1977 (Act of 12 of 1977)

No..... Dated.....

To

Whereas it has been brought to the notice of the
undersigned, pursuant to the inspection conducted on
.....that unauthorised development is
being or has been carried out by you on the land situated
in Khasra No..... Ward/Mohal/
Village..... District.....
in contravention of the provisions of section (15-A), 16
and 31 of the H. P. Town and Country Planning
Act, 1977 (Act of 12 of 1977) or in violation of the
conditions of the permission/approval given to you vide
letter No.....
dated.....

Now, therefore in order to prevent any dispute as to
the nature and extent of the unauthorised development
and for the purpose of carrying out the provisions of
the H. P. Town and Country Planning Act, 1977, it is
proposed to make an order sealing the said unauthoris-
ed development under section 39-B of the H. P. Town
and Country Planning Act, 1977.

Now, therefore you are hereby called upon to show
cause within a period.....
from the service of this notice to the satisfaction of the
undersigned as to why the said unauthorised develop-
ment be got directed to be sealed under section-39 (B)
of H. P. Town and Country Planning Act, 1977.

Take further notice that on.....
(date) between.....(time)
you and/or your authorised representative shall appear
for hearing in my above referred office, in support of
your contentions, failing which you shall be proceeded
against *ex-parte*.

At the time of hearing you may also, in addition to
the above produce such evidence as you may desire to
produce in support of your contentions.

..... (Signature)
.....
..... (Designation)
for on behalf of the State Government
of Himachal Pradesh.

आदेशानुसार;
पी 0 एस 0 नेगी;
वित्तायुक्त एवं सचिव।

भाग 4--स्थानीय स्वायत्त शासन, म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायती राज विभाग ।

-शून्य-

भाग 5--व्यक्तिगत अधिसूचनाएं और विज्ञापन

व अदालत श्री जिन्दर कुमार हंस; कार्यकारी दण्डाधिकारी, तहसील जसवां, जिला कांगड़ा, हिमाचल प्रदेश

व अदालत श्री एम 0 एल 0 शर्मा, तहसीलदार एवं प्रशासनिक दण्डाधिकारी, जयसिंहपुर, जिला कांगड़ा, हिमाचल प्रदेश

व मुकद्दमा :

श्रीमती शीला देवी पत्नी श्री भारत भूषण, वासी बडला, तहसील जसवां कोटला, जिला कांगड़ा, हिमाचल प्रदेश

मुकद्दमा नं० 64/1995.

किस्म मुकद्दमा: मृत्यु तिथि ।

उनवान मुकद्दमा :

श्री भगवान दास पुत्र दुर्गा सिंह; निवासी महाल हारसी तहसील, जयसिंहपुर, जिला कांगड़ा, हिमाचल प्रदेश

...प्रार्थी

वनाम

श्राम जनता

वनाम

श्राम जनता

...प्रत्यार्थी ।

दरखास्त जेर धारा 13(3) जन्म तिथि एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम जनता ।

श्रीमती शीला देवी पत्नी श्री भारत भूषण ने इस न्यायालय में दरखास्त दी है उसकी पुत्री रजनी बाबा का जन्म पंचायत रजिस्टर में गलती से दर्ज न करवाया गया है। अब दर्ज किया जावे। इसकी पुत्री का जन्म तिथि 28-11-1989 है। तथा बच्चे का जन्म गांव अमरोह में हुआ है।

अतः इस नोटिस द्वारा समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उसका नाम दर्ज करवाने वारे कोई आपत्ति/उजर हो तो वह दिनांक 10-7-1995 समय दस बजे प्रातः स्वयं अथवा किसी वांछित के माध्यम से हमारे समक्ष अदालत में हाजिर आ कर पेश करे अन्यथा एक तरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 16-3-1995 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर ।

जिन्दर कुमार हंस,
कार्यकारी दण्डाधिकारी,

जसवां स्थित कोटला, जिला कांगड़ा (हि० प्र०) ।

व अदालत श्री जिन्दर कुमार हंस; कार्यकारी दण्डाधिकारी, जसवां, जिला कांगड़ा; हिमाचल प्रदेश

व मुकद्दमा :

श्री रमेश कुमार पुत्र केश राज, वासी संसारपुर टंरस; तहसील जसवां कोटला, जिला कांगड़ा, हिमाचल प्रदेश ।

वनाम

श्राम जनता

आज दिनांक 19-5-95 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी किया जाता है।

मोहर ।

एम 0 एल 0 शर्मा,
प्रशासनिक दण्डाधिकारी;
जयसिंहपुर, जिला कांगड़ा ।

व अदालत श्री एम 0 एल 0 शर्मा; तहसीलदार एवं प्रशासनिक दण्डाधिकारी; जयसिंहपुर, जिला कांगड़ा, हिमाचल प्रदेश

मुकद्दमा नं० 66/1995.

किस्म मुकद्दमा : जन्म तिथि ।

उनवान मुकद्दमा :

श्री मेहर सिंह पुत्र राम दास निवासी महाल चौआं, डाकघर धुप ब्यारा, तहसील जयसिंहपुर, जिला कांगड़ा, हिमाचल प्रदेश

...प्रार्थी ।

वनाम

श्राम जनता

...प्रत्यार्थी ।

विषय.—प्रार्थना-पत्र जेर धारा 13(3) जन्म व मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम समस्त जनता

प्रार्थी श्री मेहर सिंह पुत्र राम दास, निवासी महाल चौआं, तहसील जयसिंहपुर ने प्रार्थना-पत्र दिया है कि उसकी लड़की उषा कुमारी का जन्म 8-12-90 को गांव चौआं में हुआ है परन्तु गलती से पंचायत रिकार्ड में दर्ज न किया गया है तथा अब प्रार्थना की है कि अब दर्ज किया जावे।

अतः इस इशतहार राजपत्र द्वारा समस्त जनता व सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि उक्त बच्चे को जन्म तिथि दर्ज करने में किसी को कोई आपत्ति/उजर हो तो वह दिनांक 3-7-1995 को प्रातः 10 बजे हमारे समक्ष अदालत हजामे स्वयं या किसी

दरखास्त जेर धारा 13(3) जन्म व मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम जनता ।

श्री रमेश कुमार ने इस न्यायालय में दरखास्त दी है कि उसकी पुत्रियों दीपक रानी व शमा देवी का जन्म पंचायत रजिस्टर में गलती से दर्ज न करवाया गया है। अब दर्ज किया जावे। इसकी पुत्रियों का जन्म तिथियां 10-2-88 व 1-1-1989 क्रमशः है तथा बच्चों का जन्म गांव संसारपुर में हुआ है।

अतः इस नोटिस द्वारा समस्त जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उनका नाम दर्ज करवाने वारे कोई आपत्ति या उजर हो तो वह दिनांक 4-7-1995 को 10 बजे प्रातः स्वयं अथवा किसी वांछित के माध्यम से हमारे समक्ष अदालत में हाजिर आकर पेश करें अन्यथा एक तरफा कार्यवाही अमल में लाई जावेगी।

आज दिनांक 3-5-1995 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर ।

जिन्दर कुमार हंस;
कार्यकारी दण्डाधिकारी,
जसवां स्थित कोटला,
जिला कांगड़ा (हि० प्र०) ।

वकील के माध्यम से हाजिर आवे अन्यथा एक तरफा कार्यवाही अमल में लाई जायेगी।

आज दिनांक 19-5-95 को यह इशतहार मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया जाता है।

मोहर।

एम० एल० शर्मा,
प्रशासनिक दण्डाधिकारी,
जयसिंहपुर, जिला कांगड़ा (हि० प्र०)।

व अदालत श्री एम० एल० शर्मा, तहसीलदार एवं प्रशासनिक दण्डाधिकारी,
जयसिंहपुर, जिला कांगड़ा, हिमाचल प्रदेश

मुकद्मा नं० 67/1995.

किस्म मुकद्मा जन्म तिथि

उन्वान मुकद्मा

श्री मेहर सिंह पुत्र राम दास, निवासी महाल चौआं,
डाकघर धुपक्यारा, तहसील जयसिंहपुर जिला कांगड़ा, हिमाचल
प्रदेश। .. प्रार्थी।

बनाम

ग्राम जनता

.. प्रत्यार्थी।

विषय.—प्रार्थना-पत्र जेर धारा 13(3) जन्म व मृत्यु पंजीकरण
अधिनियम, 1969.

नोटिस

बनाम

समस्त जनता।

प्रार्थी श्री मेहर सिंह पुत्र राम दास, निवासी महाल चौआं, डाकघर
धुपक्यारा, तहसील जयसिंहपुर ने प्रार्थना-पत्र दिया है कि उसकी लड़की
इन्दू कुमारी का जन्म दिनांक 7-11-94 को गांव चौआं में हुआ
है परन्तु गलती से पंचायत रिकार्ड में दर्ज न किया गया है तथा
अब प्रार्थना की है कि अब दर्ज किया जावे।

अतः इस इशतहार राजपत्र द्वारा समस्त जनता व सम्बन्धित
रिश्तेदारों को सूचित किया जाता है कि उक्त वच्चे की जन्म तिथि दर्ज
करने में किसी को कोई आपत्ति/उजर हो तो वह दिनांक 3-7-1995
को प्रातः 10.00 बजे हमारे समक्ष अदालत हजा में स्वयं या किसी
वकील के माध्यम से हाजिर आवे अन्यथा एक तरफा कार्यवाही
अमल में लाई जायेगी।

आज दिनांक 19-5-95 को यह इशतहार मेरे हस्ताक्षर व मोहर
अदालत द्वारा जारी किया जाता है।

मोहर।

एम० एल० शर्मा,
प्रशासनिक दण्डाधिकारी,
जयसिंहपुर, जिला कांगड़ा।

व अदालत श्री एच० एल० इन्दौरिया, नायब-तहसीलदार/कार्यकारी
दण्डाधिकारी खूंडियां, जिला कांगड़ा (हि० प्र०)

श्रीमती लीहंला देवी पत्नी श्री तरलोक चन्द, वासी रच्छाण, डाकघर
नाहलियां, मौजा धुठियालता, तहसील खूंडियां, जिला कांगड़ा।

बनाम

ग्राम जनता

दरखास्त वराये जेर धारा 13(3) जन्म तिथि एवं मृत्यु पंजीकरण
अधिनियम, 1969.

उपरोक्त विषय के सम्बन्ध में प्रार्थिया श्रीमती लीहंला देवी पत्नी
श्री तरलोक चन्द, वासी रच्छाण, डाकघर नाहलियां, मौजा धुठियालता,
तहसील खूंडियां ने इस कार्यालय में एक दरखास्त प्रस्तुत की है कि उसकी
लड़की मधुवाला का जन्म दिनांक 27-12-1989 को हुआ है लेकिन

अज्ञानता के कारण उसकी जन्म तिथि व नाम पंचायत अभिलेख में दर्ज
नहीं हुई है।

अतः सर्वसाधारण को बजरिया इशतहार सूचित किया जाता है कि
यदि मधुवाला का नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने
बारे कोई आपत्ति एवं एतराज हो तो वह अदालत या वकालत
दिनांक 11-7-1995 को सुबह 10.00 बजे हाजिर अदालत आकर
अपना उजर पेश कर सकता है अन्यथा एक तरफा कार्यवाही अमल में
लाई जाकर पंजीकरण जन्म तिथि के आदेश पारित कर दिए जायेंगे।

ये इशतहार मोहर अदालत व मेरे हस्ताक्षर से जारी हुआ।

मोहर।

एच० एल० इन्दौरिया,
कार्यकारी दण्डाधिकारी, खूंडियां,
जिला कांगड़ा (हि० प्र०)।

व अदालत श्री वी० के० नेगी, कार्यकारी दण्डाधिकारी, तहसील
रामपुर बुशहर, जिला शिमला, हिमाचल प्रदेश

श्रीमती राधामणी विधवा श्री परमानन्द, ग्राम डोवो, तहसील
रामपुर बुशहर, जिला शिमला, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म व मृत्यु पंजीकरण
अधिनियम, 1969.

नोटिस बनाम ग्राम जनता।

श्रीमती राधामणी विधवा श्री परमानन्द उपरोक्त ने की
जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 की धारा 13(3) के
अन्तर्गत दरखास्त प्रस्तुत करके प्रार्थना की है कि उसका पौत्र अमरेश
पुत्र जवाहर सिंह की जन्म तिथि 29-10-90 पंचायत गोपालपुर के रिकार्ड
में दर्ज नहीं है। जिसे प्रार्थिया अब दर्ज करवाना चाहती है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है
कि इस सम्बन्ध में यदि किसी व्यक्ति को उजर व एतराज
हो तो वह स्वयं अथवा अपने प्रतिनिधि द्वारा दिनांक 7-7-1995 को
सुबह 10 बजे इस अदालत में उपस्थित होकर प्रस्तुत करें वरना
गोपालपुर पंचायत रिकार्ड में नाम दर्ज करने के आदेश जारी कर
दिये जायेंगे।

आज दिनांक 30-5-1995 को मेरे हस्ताक्षर व मोहर अदालत से
जारी किया गया।

मोहर।

वी० के० नेगी,
कार्यकारी दण्डाधिकारी,
तहसील रामपुर बुशहर, जिला शिमला,
हिमाचल प्रदेश।

व अदालत श्री वी० के० नेगी, कार्यकारी दण्डाधिकारी, तहसील
रामपुर बुशहर, जिला शिमला, हिमाचल प्रदेश

श्री राकेश शर्मा पुत्र देव राज शर्मा, ग्राम रामपुर बुशहर,
तहसील रामपुर बुशहर, जिला शिमला, हिमाचल प्रदेश।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म व मृत्यु पंजीकरण अधि-
नियम, 1969.

बनाम

नोटिस

ग्राम जनता।

श्री राकेश शर्मा पुत्र श्री देवराज उपरोक्त ने जन्म एवं
मृत्यु पंजीकरण अधिनियम, 1969 की धारा 13(3)

के अन्तर्गत दरखास्त प्रस्तुत करके प्रार्थना की है कि उसके पुत्र पीयूष, की जन्म तिथि 5-1-95 नगरपालिका रामपुर के रिकार्ड में दर्ज नहीं है। जिसे प्रार्थी अब दर्ज करवाना चाहता है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि इस सम्बन्ध में यदि किसी व्यक्ति को उजर व एतराज हो तो वह स्वयं अथवा अपने प्रतिनिधि द्वारा दिनांक 7-7-95 को सुबह 10 बजे इस अदालत में उपस्थित होकर प्रस्तुत करें वरना नगर पालिका रामपुर के रिकार्ड में नाम दर्ज करने के आदेश जारी कर दिए जायेंगे।

आज दिनांक 3-5-95 को मेरे हस्ताक्षर व मोहर अदालत में जारी किया गया।

मोहर।

बी० के० नेगी,
कार्यकारी दण्डाधिकारी,
तहसील रामपुर, जिला शिमला हि० प्र०।

श्रीमती रमक देवी पत्नी 20-3-1947, श्री केशव राम पुत्र 2-3-1974, कुमारी माधवी मनी पुत्री 25-11-1986, श्री नवनीत कुमार पुत्र 23-1-79 की जन्म तिथियां हैं।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि जिनको भी उक्त जन्म तिथियां दर्ज करवाने वारे किसी भी प्रकार का शक हो तो वे इस न्यायालय में मिति 15-7-1995 तक अपने आरोप पेश कर सकते हैं। यदि कोई भी आरोप उक्त तिथि तक इस न्यायालय में प्राप्त न हुआ तो ऐसा माना जाएगा कि श्री जेठू राम व उनके परिवार की जन्म तिथियां सही हैं और वह तिथियां पंचायत रिकार्ड में दर्ज की जाएंगी।

आज दिनांक 15-6-95 को मेरे हस्ताक्षर व मोहर अदालत में जारी किया गया।

मोहर।

हुक्म सिंह ठाकुर,
उप-मण्डलाधिकारी, शिमला (ग्रा०),
जिला शिमला।

इशतहार

व अदालत श्री राजीव शर्मा, उपमण्डल दण्डाधिकारी, ठियोग,
जिला शिमला, हिमाचल प्रदेश

श्री भगवती प्रसाद पुत्र राम लाल, साकना शाही बाजार, ठियोग।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म व मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस

बनाम

ग्राम जनता

श्री शालिग राम पुत्र डीडू उपरोक्त ने जन्म एवं मृत्यु पंजीकरण अधिनियम 1969 की धारा 13(3) के अन्तर्गत दरखास्त प्रस्तुत करके प्रार्थना की है कि उसकी पुत्रियों मीना देवी व आशा की जन्म तिथियां क्रमशः 1-7-70 व 1-7-80 ग्राम पंचायत धारगौरा रिकार्ड में दर्ज की जायें।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि इस सम्बन्ध में यदि किसी व्यक्ति को उजर व एतराज हो तो वह स्वयं अथवा अपने प्रतिनिधि द्वारा दिनांक 7-7-95 को सुबह 10 बजे इस अदालत में उपस्थित होकर प्रस्तुत करे वरना पंचायत रिकार्ड में जन्म तिथि दर्ज करने के आदेश जारी कर दिए जाएंगे।

आज दिनांक 30-5-95 को मेरे हस्ताक्षर व मोहर अदालत में जारी किया गया।

मोहर।

बी० के० नेगी,
कार्यकारी दण्डाधिकारी, रामपुर बुशहर
जिला शिमला (हि० प्र०)।

व अदालत श्री हुक्म सिंह ठाकुर, उपमण्डलाधिकारी, शिमला (ग्रा०),
जिला शिमला, हिमाचल प्रदेश

श्री जेठू राम पुत्र स्व० श्री धनी राम, ग्राम वासी पट्टी रहाना,
तहसील व जिला शिमला (हि० प्र०)।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म व मृत्यु पंजीकरण अधिनियम, 1969.

श्री जेठू राम पुत्र स्व० श्री धनी राम, निवासी पट्टी रहाना, तहसील व जिला शिमला (हि० प्र०) ने इस न्यायालय में उपरोक्त ऐक्ट के अन्तर्गत अपने बच्चों की जन्म तिथि दर्ज करवाने वारे प्रार्थना-पत्र गुजारा है। श्री जेठू राम उपरोक्त के अनुसार श्री जेठू राम स्वयं 28-3-1944

श्री भगवती प्रसाद पुत्र राम लाल, साकना शाही बाजार, ठियोग, तहसील ठियोग, जिला शिमला ने दरखास्त गुजारी है कि उसकी पुत्री कुमारी वनीता का जन्म 3-3-90 को हुआ है, तथा वह नगरपालिका ठियोग में समय पर उसका नाम दर्ज न करा सका।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति व रिश्तेदार का कोई एतराज हो तो वह दिनांक 4-7-1995 को अपना एतराज प्रातः 10 बजे हाजिर अदालत आकर पेश करे वरना कुमारी वनीता का नाम नगर पालिका ठियोग के रिकार्ड में दर्ज करने के आदेश पारित कर दिये जावेंगे।

आज दिनांक 26-5-95 को हमारे हस्ताक्षर व मोहर अदालत में जारी किया गया।

मोहर।

राजीव शर्मा,
उपमण्डल दण्डाधिकारी, ठियोग,
जिला शिमला, हिमाचल प्रदेश।

In the Court of Shri V. K. Gupta. Senior Sub Judge,
Nahan, District Sirmaur (H.P.)

Smt. Vidya Devi wd/o late Shri Pritam Singh, r/o
Village Subhkhera, Tehsil Paonta Sahib, District Sirmaur,
Himachal Pradesh
..Petitioner.

Versus

The general public

..Respondent.

Application for appointment of petitioner as Guardian of the property of her minor son Avtar Singh.

Whereas in the above noted petition, petitioner has prayed for appointment of petitioner as Guardian of the property of minor son Master Avtar Singh s/o Shri Pritam Singh, r/o Village Subhkhera specially for the sale of land of minor of Village Bherewala and Subhkhera to the extend of 6 bighas 11 bishwas i.e. share of

the minor is 3 bighas 6 bishwas in favour of Shri Bachan Singh son of Shri Bishna and further permission to exchange land of share of the minor in Khata No. 3, Kitta 23 of Village Subhkhera in favour of the said Shri Bachan Singh and for receiving in exchange the land of Shri Bachan Singh in Khasra No. 210/43.

The proclamation is hereby issued for the information of the general public, inviting objection, if any in the proposed sale of the minor property by Guardian of there natural i.e. the mother, in this Court on or before 30-6-95 at 10 A.M. personally or through an authorised agent/pleader failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and the seal of the Court this 9th day of May, 1995.

Seal.

V. K. GUPTA,
Senior Sub Judge,
Nahan, District Sirmaur (H.P.).

In the Court of Shri V. K. Gupta, Senior Sub Judge,
Nahan, District Sirmaur. (H.P.)

CASE No. 8/2 OF 94.

1. Smt. Neema Gupta wife of Shri Raj Kumar,
2. Shri Raj Kumar son of Shri Ram Swarup both are being parents and natural guardian of the minor Shri Varun Kumar, resident of Majra, Tehsil Paonta Sahib, District Sirmaur, Himachal Pradesh ...Petitioners.

Versus

General public

...Respondents.

Petition under section 29 of the Guardian and Wards Act.

Whereas in the above noted petition, petitioners have prayed to sell the property bearing Khata Khatauni No. 144/214 number Khasra 656 old and 1482 new measuring 34.68 sq. meters gair mumkin shops and residential double storeyed house situated in Mohalla Ranital, Nahan, District Sirmaur, Himachal Pradesh.

This proclamation is hereby issued to the general public to file objections, if any, to grant the such permission to the petitioners in this Court on 6-7-95 at 10 A.M. personally or through an authorised agent/pleader failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and the seal of the Court this 16th day of May, 1995.

Seal.

V. K. GUPTA,
Senior Sub Judge,
Nahan, District Sirmaur (H. P.).

In the Court of Shri V. K. Gupta, Senior Sub Jdge,
Nahan, District Sirmaur. (H. P.)

Usha Rani daughter of late Shri Mangat Ram, House No. 2714/10, Mohalla Ranital, Nahan, Himachal Pradesh ...Petitioner.

Versus

General public

...Respondent.

Petition under section 372 of the Indian Succession Act.

Whereas in the above noted petition, petitioner have prayed for the grant of Succession Certificate in respect of deposit of a sum of Rs. 40,000/- vide A/c No. MIS 160039 in Post Office Nahan deceased Shri Mangat Ram and Smt. Laxmi Devi, House No. 2714/10 Mohalla Ranital, Nahan, who died on 3-5-94 and 14-2-92.

Hence this proclamation is hereby issued for the information of the general public and to file objection, if any, to the grant of such Succession Certificate in this Court on 28-6-95 at 10 A.M. personally or through an authorised agent/pleader, failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and the seal of the Court this 8th day of May, 1995.

Seal.

V. K. GUPTA,
Senior Sub Judge,
Nahan, District Sirmaur (H.P.).

ब अदालत श्री प्रताप सिंह गुलेरिया, कार्यकारी मैजिस्ट्रेट, हरौली
जिला ऊना, हिमाचल प्रदेश

श्री तेलू राम सुपुत्र रत्ना राम, गांव भदौड़ी, उप तहसील हरौली,
जिला ऊना; हिमाचल प्रदेश ।

बनाम

ग्राम जनता

दख्खास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम; 1969.

श्री तेलू राम सुपुत्र रत्ना राम, वासी भदौड़ी, उप तहसील हरौली, जिला ऊना ने इस कार्यालय में गुजारिश की है कि उसकी पोती कुलविन्द्र कौर पुत्री गुरदेव सिंह का जन्म दिनांक 26-8-1989 को हुआ है लेकिन उसकी जन्म तिथि पंचायत रिकार्ड में दर्ज नहीं है ।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि इस सम्बन्ध में यदि किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक 3-7-95 को सुबह 10 बजे अधोहस्ताक्षरी के न्यायालय में हाजिर होकर पेश कर सकता है वरना उपरोक्त व्यक्ति की जन्म तिथि दर्ज करने बारे सम्बन्धित पंचायत को उपरोक्त बताई गई तिथि दर्ज करने बारे आदेश जारी कर दिये जायेंगे ।

आज दिनांक 25-5-95 को मेरे हस्ताक्षर व मोहर कार्यालय से जारी हुआ ।

मोहर

प्रताप सिंह गुलेरिया,
कार्यकारी मैजिस्ट्रेट, हरौली,
जिला ऊना (हि 0 प्र 0) ।

ब अदालत जनाव समाहर्ता, उप मण्डल, धुमारवीं, जिला बिलासपुर

मिमल नं 0 89/2 Of 93 तारीख रजुआ 8-11-93 तारीख पेशी
10-7-1995

किरपू राम पुत्र मेहलर राम, गांव फटोह, परगना सुन्हाणी,
तहसील धुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश ।

बनाम

1. सनेहर पुत्री नारदू, 2. तोतू पुत्र मेहलर, 3. बखशी पुत्र मेहलर,

4. जिन्दी विधवा नन्दू, 5. देव उर्फ सुख देव पुत्र नन्दू, 6. लेख राम पुत्र नन्दू, 7. सत्या देवी विधवा नन्दू, 8. पोहलो पुत्र लैहर, गांव फटोह, परगना सुन्हाणी, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश, 9. सन्देश पुत्र मनशू द्वारा माता सत्या देवी प्रत्यार्थी नं० 7, 10. जमना पुत्री फरन्गू हाल पत्नी डण्डू राम, गांव अमरपुर, परगना ल्यून, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश, 11. निक्क पुत्र फरहन्गू, 12. निकड़ पुत्र महलर, गांव फटोह, परगना सुन्हाणी, तहसील घुमारवीं, जिला बिलासपुर।

अपील तकसीम

हरमाह उपरोक्त अपील में प्रत्यार्थी नं० 8 के नाम इस अदालत से कई बार समन जारी किए गए परन्तु उन पर असातन तामील न हो रही है। अदालत को यह यकीन हो चुका है कि प्रत्यार्थी नं० 8 पर साधारण तरीके से तामील होना कठिन है। अतः प्रत्यार्थी

नं० 8 को वजरिया इश्तहार राजपत्र जेर आर्डर 5, रूल 20, जाब्ता दीवानी सूचित किया जाता है कि आपको उपरोक्त अपील तकसीम में किसी प्रकार का उजर/एतराज हो तो दिनांक 10-7-1995 को या इससे पूर्व इस अदालत में सुबह 10 बजे हाजर हो कर असातन व वकालतन पेश कर सकते हैं। तारीख पेशों के बाद सुनवाई नहीं होगी अथवा एक पक्षीय कार्यवाही अमल में लाई जावेगी।

आज दिनांक 30-5-1995 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

हस्ताक्षरित/-
समाहर्ता, उप-मण्डल, घुमारवीं,
जिला बिलासपुर (हि० प्र०)।

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

—शून्य—

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

—शून्य—

अनुपूरक

शून्य

भाग—2

Office of the District Magistrate, Mandi, District
Mandi, Himachal Pradesh

NOTICE

Mandi, the 14th June, 1995

No. SR/SW/95.—Whereas, Shri Rajesh Kumar Tiwari Advocate, Sundernagar, District Mandi (H.P.) has made an application under the Notaries Act, 1952 for the appointment of Notary for Tehsil Sundernagar.

And Whereas, it is necessary under rule 6 (2)(a) of Notaries Rules, 1956 to invite objections, if any, to the appointment of the applicant as a Notary.

Now, Therefore, I, Tarun Shridhar, District Magistrate, Mandi, District Mandi (H.P.) in exercise of powers

conferred upon me under Rule 6 of the Notaries Rules, 1986, vide notification No. I. R. 107-323/56-III, dated the 27th day of September, 1977, hereby invite objections, if any, from all concerned to the application of Shri Rajesh Kumar Tiwari Advocate as Notary for Tehsil Sundernagar, District Mandi which should reach in this office within 14 days from the date of publication of this Notice in the Himachal Pradesh Rajpatra.

Issued under my hand and seal of the office today the 14th June, 1995.

Seal.

TARUN SHRIDHAR,
District Magistrate,
Mandi, District Mandi (H. P.).

